

Policy and Procedure Manual

Chapters III & IV

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MC©LES Policy & Procedure

Chapter III

LOCAL and REGIONAL BASIC POLICE TRAINING SCHOOLS

TABLE OF CONTENTS

Local and Regional Basic Training Schools Chapter III

- 1. Administrative Law
- 2. Establishing a Basic Police Training School
- 3. Responsibilities and Duties of the Program Administrator, Training Director, and the Training and Education Advisory Committee.
- 4. Continuation or Revocation of Approved Basic Police Training Schools and Program
- 5. Enrollment in an Approved Training Session
- 6. Basic Police Training Requirements
- 7. Dismissal of Recruits for Failure to Meet Training Requirements
- 8. Recognition of Successful Completion of the Basic Police Training Program
- 9. Rules of Conduct while in Attendance at a Commission Approved Basic Police Training School
- 10. Facilities and Equipment
- 11. Instructor Qualifications
- 12. The Michigan Commission on Law Enforcement Standards Program Monitoring
- 13. Forms and Procedures
- 14. Recognition of Basic Training Program Graduates
- 15. Repeat Trainees
- 16. Funding/Reimbursement
- 17. Accommodation Policy for Training and Testing
- 18. Training Vehicle Use Policy

Administrative Law

These rules were filed with the Secretary of State on June 29, 1995, and took effect on July 14, 1995. (By authority conferred on the Commission on Law Enforcement Standards by Sections 9, 10, and 11 of Act No. 203 of the Public Acts of 1965, as amended, being §28.609, 28.611, and 16.109 of the Michigan Compiled Laws.)

R 28.4351 Definitions.

Rule 1. As used in these rules:

- (a) "Basic police training program" means the entire Commission approved training curriculum offered by a basic police training school that allows a qualified graduate to be certified as a law enforcement officer upon employment.
- (b) "Basic police training school" means an agency or institution that is approved by the Commission to offer the basic police training program.
- (c) "Basic police training school graduate" means a person who has completed the training and educational requirements of a Commission approved basic police training program.
- (d) "Class" means students or trainees who are administratively grouped to begin a basic police training program.
- (e) "Course objective" means a behavioral statement that describes a knowledge, skill, or ability to be acquired during the basic police training program.
- (f) "Course of study" means the organized course objectives which are approved by the Commission and which a recruit is required to complete before being certified as a law enforcement officer.

- (g) "Curriculum" means the overall plan of the content and specific materials of instruction that a police training school is required to offer a recruit before qualifying the recruit for certification.
- (h) "Employed recruit" means a police officer candidate hired by a law enforcement agency and who is enrolled in an approved basic police training school.
- (i) "Local basic police training school" means a local law enforcement agency that is approved by the Commission to provide a basic police training program for qualified employed recruits employed only within that local law enforcement agency.
- (j) "Preservice recruit" means an individual who meets the entrance requirements and enrolls at his or her own expense in an approved regional basic police training school and who is not employed by a law enforcement agency.
- (k) "Recruit" means a student or trainee who is enrolled in a basic police training program.
- (l) "Regional basic police training school" means an agency or institution that is approved by the Commission to offer basic police training program to preservice and law enforcement personnel who are employed by any law enforcement agency. A regional basic police training school is synonymous with regional training academy (RTA).
- (m) "Regional training academy" (RTA) is a synonymous term for "regional basic police training school."
- (n) "Repeat trainee" means a department's recruit who has been dismissed for any reason specified in R28.4365 and who is re-enrolled by any agency within 1 year of the date of dismissal.
- (o) "Training and education advisory committee" means law enforcement officials participating in the guidance and evaluation of a Commission-approved basic police training school.
- (p) "Training school" means an institution that is approved by the Commission to offer basic law enforcement training.
- (q) "Training session" means a block of training on a specific topic which is offered by a school within a given period of time and for which credit toward certification is given.

R28.4352 Establishment of local or regional basic police training school; Commission approval required.

Rule 2. Commission approval shall be obtained by a city, county, township, village, community college, university, or state agency before establishing a local or regional basic police training program.

R 28.4353 Application for approval.

- Rule 3. (1) A city, county, township, village, community college, university, or state agency shall submit a written request to establish a basic police training school.
 - (2) The application shall contain, at a minimum, all of the following:
 - (a) A statement that required facilities and equipment are available for recruits and instructors.
 - (b) A description of the duties, responsibilities, and membership of the training and education advisory committee.
 - (c) The name, address, and position of the person who is responsible for establishing the basic police training school.
 - (d) The name and title of the person who will be responsible as the training director.
 - (e) A description of the applicant's goals and objectives for the basic police training program.
 - (f) A description of the nature and scope of the applicant's financial and philosophical commitment to the basic police training program.
 - (g) A list of the rules governing recruit conduct beyond those established by the Commission.

- (h) Identification of the requirements that an enrolled recruit shall meet, in addition to the requirements established in R 28.4363, to successfully complete the prescribed course of study established by the applicant.
- (i) Identification of curriculum, course of study, and training objectives that will be utilized by the applicant during mandated basic police training programs.
- (j) Authorization for the Commission to inspect all aspects of the basic police training program approved by the Commission.
- (k) A description of affiliation with other agencies, colleges, and universities that will be a part of the basic police training program.
- (l) An estimate of the number of basic police training programs that will be offered on a yearly basis.
- (m) The projected starting and graduation dates of the first basic police training program class.
- (n) Definition of the geographical area that the proposed basic police training school will serve.
- (o) A projection of how many recruits will be enrolled in the program on a yearly basis.
- (p) Verification that acceptable live-in facilities are available in the vicinity of the basic police training school.
- (3) When the Commission determines an application is incomplete, an amended application shall be filed within 30 days after the date of a request for amplification or clarification.
- (4) Failure to comply with the provisions of sub-rule (3) of this rule is grounds for denial of the application.

R 28.4354 School requirements after approval.

- Rule 4. A city, county, township, village, community college, university, or state agency approved by the Commission to establish a basic police training school shall do all of the following:
 - (a) Comply with the approved proposal.
 - (b) Utilize fully qualified and competent instructors.
 - (c) Comply with procedures established pursuant to R28.4359.

R 28.4355 Notice of change in structure or content of program; Commission approval required.

- Rule 5. (2) The training director of an approved basic police training school shall notify the Commission, not less than 10 days before the start of a new class, of any change in the structure or content of the Commission-approved program which would affect the information required in R 28.4353(2).
 - (1) Written Commission approval shall be obtained before implementing the change.

R 28.4356 Commission approval of individual basic police training program required.

Rule 6. A city, county, township, village, community college, university, or state agency approved by the Commission as a basic police training school shall have written Commission approval before initiating an individual basic police training program.

R 28.4357 Revocation of Commission approval; probation.

Rule 7. (1) A violation of the rules or deviation from the approved program by an approved basic police training school that is documented by the Commission constitutes cause to revoke approval as a basic police training school before, during, or after any class.

(2) The Commission may place an approved school on probation for a specific time frame instead of revoking approval.

R 28.4358 Approved basic police training schools; right to appeal denials, revocations, and probations.

- Rule 8. (1) Approved basic police training schools shall have standing to appeal denials, revocations, and probations to the Commission within 3 days of the original notice.
 - (2) Commission decisions on appeal are binding.

R 28.4359 Publication and revision of policies and procedures manual required.

- Rule 9. (1) The Commission shall prepare and publish a basic police training program policies and procedures manual which is consistent with these rules and which shall govern the implementation, administration, and evaluation of recruit training at approved basic police training schools.
 - (2) The policies and procedures manual shall describe or state all of the following:
 - (a) Minimum basic police training requirements.
 - (b) Curriculum.
 - (c) Courses of study.
 - (d) Training course.
 - (e) Instructor qualifications promulgated by the Commission.
 - (3) The Commission shall periodically review the items specified in subrule (2) of this rule to ensure that they are in compliance with existing legislation or current knowledge and technology.

(4) The course of study shall be revised by the Commission when it determines a need to modify, update, increase, or delete any part of the curriculum, course of study, course objectives, or instructor qualifications.

R 28.4360 Minimum basic police training curriculum.

Rule 10. Approved basic police training schools shall teach the minimum course for study promulgated by the Commission.

R 28.4361 Utilization and publication of basic law enforcement training objectives required.

- Rule 11. (1) Approved basic police training schools shall teach to the course objectives established by the Commission.
 - (2) The course of study shall be published by the Commission.

R 28.4362 Utilization and publication of law enforcement firearms assessment criteria required.

- Rule 12. (1) Approved basic police training schools shall utilize the law enforcement firearms assessment criteria established by the Commission.
 - (2) The law enforcement firearms assessment criteria shall be published by the Commission.

R 28.4363 Requirements for successful completion of the course of study; effective date of sub-rule (2)(c).

- Rule 13. (1) To successfully complete the prescribed course of study, a recruit shall do all of the following:
 - (a) Attend and participate in 90% of the approved course of study, unless otherwise stated in this rule.

- (b) Attend and participate in 100% of the classroom portion of the Commission approved firearms, defensive tactics, emergency vehicle operations, and first aid training.
- (c) Attend and participate in 90% of the range/practical application portions of the Commission approved firearms, defensive tactics, emergency vehicle operations, and first aid training.
- (d) Attain a passing score on the practical skill assessment examinations covering firearms, defensive tactics, emergency vehicle operations, and first aid training.
- (e) Attain a passing score of not less than 70% on a written examination addressing the cognitive objectives established by the Commission in firearms, defensive tactics, emergency vehicle operations, and first aid training.
- (f) Possess an American Red Cross first aid card.
- (g) Attain a passing score of not less than 70% on an examination covering the criminal law and procedures objectives and attain a passing score of an average of not less than 70% on all, but not less than 5, examinations addressing course objectives, excluding firearms, first aid, defensive tactics, and emergency vehicle operations.
- (h) Meet the minimum requirements established by an approved basic police training school for optional and additional courses that are a part of the prescribed course of study approved by the Commission.
- (2) In addition to the requirements of sub rule (1) of this rule, a preservice recruit shall do all of the following:
 - (a) Be fingerprinted on a Michigan State Police applicant card (RI-8). The fingerprint card is to be submitted to the Commission for a state and national criminal record search.

- (b) Possess an associate or baccalaureate degree from an accredited college or university at the time of completion of the basic police training program. This requirement shall take effect September 1, 1995.
- (c) Authorize the community college or university to release to the Commission the preservice recruit's records pertaining to the enrollment application and academic transcripts.
- (d) Meet all current selection and employment standards in R28.4102 at the time of employment as a law enforcement officer.
- (e) Be employed as a law enforcement officer within two years of completing the basic police training program. A basic police training school graduate who is not employed within 1 year of completing the basic police training program shall, before employment, attain a passing score on examinations assessing the candidate's competence in courses established by the Commission.

R 28.4364 Certificates; issuance.

- Rule 14. (1) The Commission shall issue a basic law enforcement certificate to an employed recruit, if the recruit was properly enrolled in an approved class and the recruit successfully completed the prescribed course of study.
 - (2) Approved basic police training schools shall not issue basic law enforcement training certificates.

R 28.4365 Recruit dismissals; appeal.

Rule 15. (1) Enrolled recruits may be dismissed from a training program by the training director.

- (2) The failure to do either of the following is cause for dismissal:
 - (a) Successfully complete the prescribed course of study established in R 28.4363 or R 28.4309 as applicable.
 - (b) Comply with Commission and school rules and regulations.
- (3) The failure by an employed recruit to do any of the following is cause for dismissal:
 - (a) Maintain employment with a law enforcement agency during the basic police training program.
 - (b) Maintain minimum employment standards established in R 28.4102 during the basic police training program.
- (4) Employers may appeal dismissals to the school and the Commission.
- (5) Students shall have standing to appeal dismissals to the school and the employer and to appeal to the Commission on matters relating to violations of Commission rules.
- (6) Commission decisions on appeal are binding.

R 28.4366 Minimum classroom requirements.

- Rule 16. (1) Classrooms that are used by a basic police training school for training recruits shall provide all of the following:
 - (a) Sufficient seats or learning area to accommodate every student.
 - (b) Noise barriers.
 - (c) Climate controls.

Establishing a Basic Police Training School

POLICY

A local police training school and a regional training school may be administered by the state, political subdivision of the state, corporation, college, or university which qualifies under the rules of the Commission and for which approval is granted by the Commission.

PURPOSE

The MCOLES is responsible for establishing police training schools and regional training centers in strategic geographic locations in order to serve the greatest number of police agencies under the authority of MCL § 28.611, Section 11(b) through (h), PA 203 of 1965, as amended.

PROCEDURE

2.01 Establishment of a local or regional basic police training school.

A city, county, township, village, college, university, or state agency interested in establishing a police training school shall:

- 1. Identify the Program Administrator by name, position and address as the individual responsible for establishing the basic police training school.
- 2. Form a Training and Education Advisory Committee.
- 3. Submit a written request for approval to establish a basic police training school to the Executive Director of the MCOLES 120 days prior to the proposed date of the initial class. The written request shall:
 - a. Identify the duties, responsibilities, and membership of the Training and Education Advisory Committee.

- b. Identify the Training Director. <u>Note:</u> The Training Director is defined as the full time person responsible for the day-to-day operation of the training program.
- c. Identify additional curriculum over and above the mandated Commission basic police training curriculum that the petitioner would like approved by the Commission.
- d. Describe the facilities and equipment to be utilized during the training program, i.e., Driving Track; Firing Range.
- e. Identify qualified and competent instructors to be utilized during the training program.
- f. Include rules that are promulgated in addition to those established by the Commission.
- g. Provide a statement acknowledging that all current requirements and future amendments will be complied with.
- h. Indicate proposed class size with any justification (facilities and instructor ratio, etc.) for exceeding the maximum of 45 recruits per class.
- i. Indicate the starting date and proposed graduation date of the first class.
- j. Indicate the number of training classes which will be offered during the coming calendar year.
- k. Indicate the anticipated number of enrollments per year.
- 1. Identify any requirements, in addition to the requirements established in R 28.4363, which an enrolled recruit shall meet to successfully complete the prescribed course of study.
- m. Describe the nature of any affiliation with other agencies or colleges that will be a part of the training program.
- n. Verify that acceptable live-in facilities are available.
- o. Describe the geographic area that the proposed basic police training school will serve

- p. Describe the evaluation criteria with which mandated and additional courses will be judged.
- q. Acknowledge that employed law enforcement agency candidates have preference in enrollment over other candidates.
- r. Authorize the MCOLES to inspect all aspects of the training delivery system and copy any documents.
- s. Provide a copy of any certificate to be issued to graduating students.
- 4. An incomplete application as determined by the Commission, shall be refiled within 30 days after the date of a request for amplification or clarification. Failure to comply is grounds for denial of the application as outlined in R 28.4353(3) & (4).
- 5. Have Commission approval, in writing and in advance, to implement the basic police training program.

2.02 Commission Denial of Request to Establish a Local or Regional Basic Police Training School.

Commission denial of original requests to establish a local or regional basic police training school will be based on documented evidence that the applicant cannot adequately fulfill the requirements stated in Unit 2 (establish a basic police training school).

2.03 School requirements after approval. R 28.4354

An approved basic police training school shall do all of the following:

- 1. Comply with the approved proposal.
- 2. Utilize fully qualified and competent instructors in all aspects of training.
- 3. Comply with procedures established pursuant to the Commission's current published policy and procedure manual.

2.04 Notice of change in structure or content of programs; the MCOLES approval required. R 28.4355

- 1. An approved basic police training school shall notify the MCOLES not less than 10 days before the start of a new class of any change in the structure or content of the Commission-approved program which would affect the factors included in R 28.4353(2).
- 2. Written MCOLES approval shall be obtained before implementing the change. R 28.4355(2) (should include inspection prior to approval when applicable, i.e., new facilities).

Responsibilities and Duties of the Program Administrator, the Training Director, and the Training and Education Advisory Committee

POLICY

It shall be the responsibility of the Program Administrator, the Training Director, and the Training and Education Advisory Committee members to perform specific duties at an approved basic police training school.

PURPOSE

This policy establishes a basic police training school program organizational structure that allows input from the Michigan law enforcement community and assigns responsibility for ensuring acceptable program performance.

PROCEDURE

3.01 Responsibilities and Duties of the Program Administrator.

The Program Administrator is responsible for providing administration and financial stability to the approved basic police training program. The Program Administrator shall:

- 1. Employ a Training Director for the duration of each training session, which includes preparation time and post-school time.
- 2. Provide proper facilities and equipment, as specified in Unit 10 of Chapter III, to meet the required objectives for the program.
- 3. Assign or release the Training Director a designated representative to attend the MCOLES conferences.
- 4. Ensure that all applicants are screened by the institution to verify they meet all of the MCOLES enrollment requirements.

- 5. Allow the MCOLES to inspect all aspects of an approved basic police training school.
- 6. Comply with the published MCOLES approved Policies and Procedures Manual.
- 7. The basic police training school shall not issue basic law enforcement training certificates. It may issue a diploma or other suitable document recognizing individual participation, provided no reference is made to certification, P.A. 203, or the Commission. (R 28.4364)

3.02 The Training Director is responsible for the daily operation of the Training Program.

The Training Director is responsible for implementing and administering the approved program in compliance with the requirements of the Commission. The Training Director shall:

- 1. Secure approval from the MCOLES prior to conducting each basic police training session.
- 2. Inform the preservice applicant of the enrollment and training requirements.
- 3. Sequence the course of study which shall incorporate the minimum basic police training curriculum. Submit a tentative schedule prior to the start of the session. Submit a final schedule after the session ends.
- 4. Enforce and comply with the rules promulgated by the Commission.
- 5. Ensure that required applicant documentation is complete and available on the first day of training.
- 6. Ensure the availability of required facilities and equipment, as specified in Unit 10 of Chapter III.
- 7. Utilize fully qualified and competent instructors in all aspects of training.

- 8. Orient Instructors as to:
 - a. Rules.
 - b. Reporting of recruit conduct.
 - c. Interfacing with other subjects.
 - d. The course objectives and relevant instructor guidelines.
 - e. Available resources.
 - f. Information on related subjects in the Basic Police Training Program.
- 9. Maintain course lesson plans, instructor outlines, and all handouts for each subject area.
- 10. Provide for supervision/administration of the program at all times, ensuring the safe and proper delivery of the training.
- 11. Develop test banks and maintain security, integrity, and direct control over all basic police training school test banks. Training Directors must ensure that all testing for grades on Commission mandatory and approved courses must be physically monitored by an academy instructor or an employee designated by the training director. The use of unmonitored, remotely accessed testing (such as computer software and Internet connections) is prohibited.*
- 12. Establish rules regarding the use and care of firearms utilized by recruits during the approved session.
- 13. Ensure that firearms are inspected for safety by a certified armorer in accordance with manufacturer's recommendations or when excessive use warrants more frequent inspection.
- 14. Notify the MCOLES immediately, by phone and in writing, when a recruit may not meet the minimum employment standards or training standards established by the Commission.
- 15. Forward all required documentation to the MCOLES within the time frames established in this manual.
- 16. Attend or be represented at all MCOLES conferences and required meetings and serve as liaison to the MCOLES.
- 17. Ensure that additional courses (800 LEVEL) are properly designed, developed, and approved by the MCOLES, prior to their inclusion in the basic curriculum (this includes objectives and evaluation criteria).

- 18. Notify employers regarding the status of their recruits at the end of the 4th and 8th week of training or more frequently when the pattern of conduct or achievement indicates the possibility of failure or undesirable traits.
- 19. Administer an examination covering the criminal law and procedures objectives and administer not less than five (5) examinations addressing Commission-approved training objectives, excluding firearms, first aid, subject control, and emergency vehicle operation.
- 20. Administer First Aid written and performance examinations.
- 21. Administer a MCOLES approved written and performance examination for firearms, subject control, and emergency vehicle operation.
- 22. Immediately report any injury resulting from the training or any training incident that results in property damage.
- 23. Immediately notify the MCOLES in writing, when a recruit is involuntarily or voluntarily removed from the training program.

3.03 Duties of the Training and Education Advisory Committee.

The Training and Education Advisory Committee is an integral part of the basic police training program. The committee shall consist of no less than five members, all active in the law enforcement community. This Committee shall:

- 1. Meet at least twice a year to review the status of the approved program and make recommendations for program improvement.
- 2. Notify the Commission, in writing, at least three weeks prior to the meeting date, of the date, time, and location of all Training and Education Advisory Committee meetings.
- 3. Record minutes for each meeting. Copies of meeting minutes shall be made available to the Commission upon request.
- 4. Participate in the formulation of the basic police training proposal.
- 5. Participate in the selection of the Training Director responsible for the daily operation of the training program.

- 6. Make recommendations to the basic police training institution regarding the screening process, student evaluation, and school policy as it relates to the basic police training program.
- 7. Review, evaluate, and make recommendations on all proposed enhanced curriculum.
- 8. Establish and approve student rules of conduct beyond those established by the Commission.

Continuation or Revocation of Approved Basic Police Training Schools and Program

POLICY

Basic police training schools shall have written Commission approval before initiating an individual basic police training session. The MCOLES may revoke approval or place a training school on probation for cause.

PURPOSE

This policy allows an assessment as to whether the approved school has operated in compliance with the MCOLES policies and procedures.

PROCEDURE

4.01 Continuation of Approved Training Schools.

- 1. The written request for approval to continue offering basic police training shall be submitted by August 1 of each year to the MCOLES and shall contain:
 - a. The number and dates of anticipated sessions for the upcoming calendar year (Jan 1 Dec 31) for planning purposes only.
 - b. The Basic Training School's Current Operating Proposal as provided for in Unit 2 of Chapter III.
 - c. A statement committing the approved school to abide by the Commission's policies and procedures.

4.02 Revocation of Commission approval; Probation. R 28.4357

- 1. A violation of the rules or deviation from the approved program by an approved basic police training school which is documented by the MCOLES constitutes cause to revoke approval as a basic police training school before, during or after any training session.
- 2. The Commission may place an approved school on probation for a specific time frame instead of revoking approval.

4.03 Approved Schools; Right to Appeal Denials, Revocations, and Probations. R 28.4358

- 1. Approved basic police training schools shall have standing to appeal denials, revocations, and probations to the Commission within 3 days of the original notice.
- 2. Commission decisions on appeal are binding.

4.04 Commission Approval of Each School Session. R 28.4356

Approved schools shall submit a written request to the MCOLES for approval to initiate a basic police training session at least two (2) weeks prior to the proposed starting date. The request shall include:

- 1. A properly completed Curriculum Verification Record (TC-5).
- 2. If applicable, a completed Enhanced Curriculum Verification Record (TC-8).
- 3. A completed Primary Instructor Form (TC-7).
- 4. Anticipated number of recruits:
 - a. Employed recruits.
 - b. Preservice recruits.
- 5. Exact facilities to be utilized.

Local and Regional Basic Police Training Schools

Chapter III – Unit 5

Enrollment in an Approved Training Session

POLICY

All enrollment requirements shall be met before a recruit is given MCOLES status in a basic police training program, and shall occur on the day of the MCOLES opening orientation.

PURPOSE

The policy establishes the point in time at which the MCOLES initiates recognition of the recruit's enrollment in a MCOLES approved basic training session.

PROCEDURE

5.01 Law Enforcement Agency Eligibility and Requirements

- 1. Prerequisites
 - a. A law enforcement agency may enroll an employed recruit when that individual:
 - (1) Meets all of the Selection and Employment Standards except (j), (k) and (l) in R 28.4102
 - (2) Is employed by that agency for the express purpose of becoming a certified law enforcement officer immediately upon successful completion of the basic training. Any exception to this condition shall be approved in writing by the MCOLES prior to enrollment
 - b. An employing law enforcement agency is to pay all the training costs associated with the enrollment of their employed recruit.

2. Enrollment requirement.

A law enforcement agency shall submit to the Training Director responsible for the daily operation of the training program of the basic police training school, a properly completed Application for Enrollment/Certification (TC-1), plus the required attachments for each employed recruit attending, <u>at least</u> ten (10) days prior to the first day of scheduled training.

5.02 Preservice Recruit Eligibility and Requirements.

- 1. Prerequisites R 28.4102:
 - a. An individual may enroll when he/she meets the minimum selection and employment standards, A through H. (R 28.4102 and R 28.4102a) and R. 28.4102a ("A through E").
 - b. Will have completed requirements for a minimum of a 2 year degree upon completion of the Academy session.

2. Requirements:

- a. Individuals enrolling in an approved basic police-training program shall:
 - (1) Be provided with a copy of the program requirements entitled Regional Training Academy Screening of an Individual Enrolled for the Basic Police Training Program.
 - (2) Be fingerprinted on a Michigan State Police applicant card (RI-8). The fingerprint card is to be submitted to the basic police training school.
 - (3) Sign a completed Request to Enroll in the Basic Police Training Program (TC-1P) as a preservice recuit.
 - (4) Provide documented evidence of educational achievement.
 - (5) Meet requirements established by the Commission approved basic police training school.
 - (6) Pay all training costs established by the basic police training school.
 - (7) Be enrolled at least one (1) week prior to the start of training.

5.03 Preservice Recruit Requirements for Maintaining Compliance with the Selection and Employment Standards.

In order to continue participation in the basic police training program, the preservice recruit shall comply with the following:

- 1. Maintain the current selection and employment standards while enrolled in the basic program, except as specified in R. 28.4102 (i), (j) and (k).
- 2. The student shall have a valid passing score on both tests at the time he/she takes the Commission Certification Exam.

5.04 Enrollment Denial

A basic police training school shall deny admittance to any person when the requirements for enrollment under 5.01 and 5.02 have not been met.

5.05 Appeal of Denial of Enrollment

Appeal must be made to the MCOLES Executive Director in writing, in order to initiate a review.

- 1. Verbal notice of intent to appeal shall be made on the day of the denial of enrollment in order for the recruit to be eligible for possible participation in the session.
- 2. Within 72 hours of the denial of enrollment, following the verbal notice of intent to appeal, a written report must follow. The written report must be directed to the MCOLES Executive Director, delineating the reason(s) why the enrollment denial should be overturned.

Basic Police Training Requirements

POLICY

A recruit shall meet all police basic training requirements prior to consideration for certification as a Michigan law enforcement officer.

PURPOSE

Under the authority of Public Act 203, as amended, the MCOLES is responsible for preparing and publishing minimum courses of study for the entry-level law enforcement officer.

PROCEDURE

6.01 The Basic Police Training Curriculum.

The minimum basic police training curriculum shall consist of the training objectives, which shall be made available to the students, and hours published in the current "Basic Police Training Curriculum With Basic Training Objectives" Manual.

6.02 Expanded Course of Study.

An approved training school may:

- 1. Increase the training hours in any Commission mandated course provided no changes are made in course objectives.
- 2. Add courses as long as an Enhanced Curriculum Verification Record (TC-8) is filed with the Basic Curriculum Verification Record (TC-5) for each training class.

6.03 Successful Completion of the Course of Study R 28.4363.

In order to successfully complete the prescribed course of study, the recruit shall:

- 1. Attend and participate in at least 90% of the prescribed training, unless otherwise stated in this unit.
- 2. Meet the requirements for successful completion of the subject control curriculum as approved by the Commission, which are:
 - a. Achieve 100% attendance in the classroom to develop knowledge.
 - b. Achieve 90% attendance and participation in the application exercises to develop skills.
 - c. Attain a passing score on all written and performance tests. In the event of failure on the examinations, one retest will be allowed during the basic training program.
- 3. Meet the requirements for successful completion of firearms training as established by the Commission, which are:
 - a. Achieve 100% attendance in the classroom portion of the Firearms course.
 - b. Achieve 90% attendance and participation during the activities of the on-range portion of the firearms course.
 - c. Qualify on a firearms course approved by the Commission.
 - d. Attain a passing score on a written examination addressing the academic objectives within the firearms course. In the event of failure on the examinations, one retest will be allowed during the basic training program.
- 4. Meet the requirements for successful completion of first aid training as established by the Commission, which are:
 - a. Achieve 90% attendance and participation in the curriculum hours approved by the Commission in the First Aid course.
 - b. Achieve passing scores on all written and performance tests. In the event of failure on the examinations, one retest will be allowed during the basic training program.

- c. Persons who hold a paramedic, Emergency Medical Technician (EMT), or first responder License issued by the Michigan Department of Public Health may be exempt from all or any portion of the First Aid requirements. Persons who hold an "Emergency Response" Certificate from the American Red Cross may also be exempt from all or any portion of the requirements. A copy of the current license or certificate shall be attached to the Student Performance Record (TC-12). (Note: the license or certificate must be <u>current</u> at the completion of the Basic Training Program.)
 - (1) The Training Director responsible for the daily operation of the training program shall determine how the additional curriculum hours will be utilized by the person who is exempt from meeting the Commission's first aid requirements. This time shall be appropriately documented on the TC-12.
- 5. Meet the requirements for successful completion of the emergency vehicle operation course as established by the Commission.
 - a. Achieve 100% attendance in the classroom portion of the emergency vehicle operation course.
 - b. Achieve 90% attendance in the emergency vehicle operation course.
 - c. Achieve passing scores on all written and performance tests. In the event of failure on the examinations, one retest will be allowed during the basic training program.
- 6. Meet the firearms, emergency vehicle operation, subject control, and first aid performance requirements during the training session. Exceptions to this policy may occur when an individual is temporarily incapacitated while participating in school related activities. When this occurs, the Training Director responsible for the daily operation of the training program may, at the request of the employer or a pre-service recruit, allow the recruit to successfully complete the entire performance requirements, provided:
 - a. The MCOLES is notified by the Training Director responsible for the daily operation in writing, regarding the necessity for invoking the exception, and when each additional testing/assessment will occur.

- b. The individual's department notifies the Commission, in writing, that it recognizes the fact that said person does not currently meet the minimum employment standards and is not a police officer.
- c. The requirement(s) is/are fulfilled within one year after the person's original school session graduation.
- d. Successful completion of the training is held in abeyance until required skill proficiency is demonstrated to and verified by a Commission staff member
- 7. Meet the requirements for successful completion of the academic courses as established by the Commission, which are:
 - a. Attain a passing score of not less than 70% on an examination covering the criminal law and procedures objectives. One re-test shall be allowed on the criminal law and procedures examination. Failure on the retest will result in the need to successfully repeat the basic training program.
 - b. Attain a passing average score of not less than 70% on all, but not less than five (5) examinations addressing Commission-approved training objectives, excluding firearms, first aid, defensive tactics, precision driving and criminal law and procedures.
- 8. Meet the academic requirements as established by a regional or local basic police training school as outlined in the approved operational proposal.
- 9. Pass the MCOLES Certification Examination within one year of the completion of the training class. One retest is allowed within one year.

Disciplinary Action for Rule and Academic Violations

POLICY

A recruit who does not meet all of the mandatory basic training requirements specified in Unit Six (6) of this Chapter shall be removed from the program. In addition, a recruit shall meet all established Commission minimum Standards of Conduct (Rules) to remain in a training school.

PURPOSE

Public Act 203 of 1965, as amended, Section 9 (2) stipulates that a person shall not be empowered to exercise the authority of a peace officer in Michigan unless the person has complied with the minimum employment standards published by the Commission. Therefore, a person who does not meet the basic police training requirements shall be dismissed from the training program. Furthermore, the Commission Rules of Conduct are intended to establish uniformity among the various basic police training schools. The rules represent minimum standards of conduct and may be expanded upon by the approved institution if consent is given by the Training and Education Advisory Committee.

PROCEDURE

7.01 Academic Dismissals and Extension Requirements:

All dismissals shall be well founded and documented.

- 1. The failure by any recruit to do any of the following is cause for dismissal:
 - a. Successfully complete the prescribed course of study established in R 28.4363 (6.03).
 - b. Meet the firearms, emergency vehicle operation, subject control, and first aid performance requirements during the training session. For exceptions when applicable, see Chapter III, Unit 6, Section 6.03.
 - c. Maintain employment with the originating law enforcement agency (i.e., agency of enrollment) during the training class.

- d. Maintain selection and employment standards as established in R 28.4102 and R 28.4102a during the training class (law enforcement agency employees).
- e. Comply with Commission and School Rules and Regulations.

7.02 Any of the following conduct is cause for disciplinary action up to and including dismissal:

- 1. Consuming or possessing alcoholic beverages during training hours, including lunch and break times, unless authorized in a training situation; or reporting to any course and showing signs of use of alcoholic beverages is a violation of the Commission's "Zero Tolerance" policy. (Note: An approved preservice program is required to have a policy that enables the institution to test a recruit if there is reasonable suspicion that the individual is in violation of this policy. The policy shall stipulate that a student tested "for cause" will be dismissed from the training program if the student: (1) tests positive, (2) fails to report to for testing, or (3) otherwise refuses to submit to testing.) Zero tolerance means having a blood alcohol content (BAC) above 0.00 as registered on a preliminary breath test (PBT) administered by a qualified operator.*
- 2. Possessing or using a controlled substance except pursuant to a valid prescription as declared on an accommodation form to the Training Director. (Note: An approved program is required to have a policy that enables the institution to test a recruit if there is reasonable suspicion that the individual is engaging in illicit use of a controlled substance. The policy shall stipulate that a recruit tested "for cause" will be dismissed from the basic police training program if the student: (1) tests positive, (2) fails to report to provide a specimen, or (3) otherwise refuses to give a urine specimen.) Drug testing procedures shall be conducted in accordance with the approved Commission Drug Testing Guidelines for agencies in effect at the time for any controlled substance, notwithstanding the limited drug panel in effect.*
- 3. Dishonesty in any form, and particularly in relation to any testing process.
- 4. Engaging in behavior that is a violation of the law. This includes violations of local ordinances or any court ordered injunction.
- 5. Engaging in conduct which violates School or Academy Rules of Conduct.
- 6. Failure to wear/use the mandatory accommodation(s) required to meet the Commission's minimum selection standards as specified in R 28.4102A, unless otherwise directed by the Training Director of the Academy.
- 7. Engaging in conduct which compromises the recruit's ability to perform as a law enforcement officer, which includes any violation of the provisions of the Law Enforcement Code of Ethics, as adopted by the Commission.

Policy & Procedure Manual (Rev 2002)

Michigan Commission on Law Enforcement Standards Chapter III – Unit 7 Page 2 of 4

7.03 If a Recruit is Enjoined by a Personal Protection Order (PPO):

- 1. The recruit shall immediately notify the Training Director of the Academy of the existence of said order. Failure to do so shall be considered failure to disclose and shall be cause for discipline up to and including discharge from the Academy.
- 2. The recruit shall provide a copy of the order to the Training Director of the Academy and shall also immediately file for a hearing before the Circuit Court requesting that said hearing be held as expeditiously as possible for the purposes of adjudication.
- 3. The Training Director of the Academy shall then immediately advise MCOLES in writing.
- 4. If the order contains an element of violence or stalking behavior, or the firearms prohibition section is checked, the recruit shall not participate in training until the order is adjudicated. If these elements do not apply, a decision shall be made by the Training Director of the Academy on a case by case basis as to whether to allow the recruit to continue participating in training until the status of the order is adjudicated.
- 5. The Training Director of the Academy shall conduct an investigation into the incident as it would any other Rules violation. The person conducting the investigation shall keep MCOLES appraised of the status and may consult with MCOLES at any time. Upon completion of the investigation, copies of all reports and related materials shall be forwarded to MCOLES. Said reports shall be included in the recruit's training record.
- 6. After the Circuit Court hearing, if the order is dismissed the recruit shall be returned to training. If the order is continued and contains an element of violence, stalking or firearms prohibition, the recruit shall continue to not participate in training. If these elements do not apply, a decision shall be made by the Training Director of the Academy on a case by case basis as to whether the recruit shall continue to participate in training, or be returned to training.
- 7. If a recruit's absence violates the attendance policy (Chapter III, Unit 6, 6.03), the Training Director should follow the dismissal policy in Chapter III, Unit 8.

7.04 If a Recruit is Charged with a Violation of Michigan Law, Local Ordinance or the Laws of any Other State, with the exception of Civil Infractions:

- 1. The recruit shall immediately notify the Training Director of the Academy of the charges and the facts surrounding it.
- 2. The Training Director shall immediately notify MCOLES of the violation and initiate an investigation into the incident as he/she would any other Rules violation. Copies of all reports pertaining to the investigation shall be forwarded to MCOLES and shall remain a part of the recruit's training record.
- 3. The recruit shall immediately be removed from training until the matter is completely adjudicated.
- 4. Depending on the results of the adjudication, a decision shall be made by the Training Director of the Academy as to whether the recruit is still compliant with minimum selection and employment standards. The Training Director of the Academy shall then make a determination whether to return the recruit to training or dismiss the recruit from the current Academy
- 5. If a recruit's absence violates the attendance policy (Chapter III, Unit 6, 6.03), the Training Director should follow the dismissal policy in Chapter III, Unit 8.

RECRUIT DISMISSAL AND APPEAL PROCEDURES

POLICY

Basic police training schools shall follow the prescribed procedures for the dismissal of a recruit from an approved training session. A copy of the appeal procedure shall be provided to all dismissed recruits and their employing law enforcement agency.

PURPOSE

The policy established a structured procedure to be following in all dismissals. It provides for proper record keeping, documentation, notification, and due process regarding a recruit's appeal.

PROCEDURE

- 8.01 The following are the procedures for the recruit dismissal process and appeals. R 28.4365
 - 1. The procedure to dismiss a recruit is as follows:
 - a. The Training Director of the academy shall:
 - (1) Notify the MCOLES and the employer before taking action.
 - (2) Notify the recruit, verbally or in writing, that dismissal action is being taken.
 - (3) Advise the recruit regarding appeal.
 - (4) Report to the employer and the MCOLES in writing, within two (2) working days, that dismissal action was taken, delineating the documented reasons for dismissal.

- b. All voluntary or involuntary separations from any training facility shall be reviewed by Commission staff. The review shall ensure that the correct procedures have been followed.
- c. It is left to the discretion of the academy, whether or not the recruit will be allowed re-entry into that Academy in another session.
- 2. The appeal procedure is as follows:
 - a. Any dismissal may be appealed to the school and the MCOLES by the recruit's agency. The appellant must, in writing, advise the MCOLES of the intent to appeal and the rationale as to the objection of the dismissal within five (5) working days.
 - (1) A recruit shall remain in the training session during the appeal process. During this time, the MCOLES and the Training Director of the Academy reserve the right to limit the recruit's participation in the training activities based on the dismissal charges.
 - b. Preservice recruits, on their own behalf, shall have the same rights and conditions to appeal as a law enforcement agency.
 - c. Individual recruits shall have standing to appeal dismissals to the school and the employer and to appeal to the MCOLES on matters relating to infringement of Commission rules. R 28.4365.
 - d. Commission decisions regarding agency and recruit appeals are binding. R 28.4365.

Chapter III - Unit 9

Recognition of Successful Completion of the Basic Police Training Program

POLICY

An individual will not be deemed by the Commission to have successfully completed the basic police-training program until all of the required documentation is received and verified by the MCOLES.

PURPOSE

Under the authority of Public Act 203 of 1965, as amended, the Commission is responsible for ensuring that individuals meet the basic police training requirements before being eligible to receive a basic training certificate.

PROCEDURE

9.01 Documentation Required for Successful Completion.

Individual recognition of successful completion of the approved program shall occur when:

- 1. The completed Student Performance Record (TC-12) is received by the MCOLES for the recruit.
- 2. Preservice recruits shall provide an official college/university transcript providing that a minimum two (2) year degree has been awarded.
- 3. The recruit has passed the MCOLES Certification Examination. This shall occur within one (1) year of the completion date of training. In the event of a failure, one (1) re-test is allowed within that one year.

9.02 Recognition of Successful Completion

- 1. A letter of congratulations and information about employment requirements will be sent to the individual when the requirements of 8.01 are fulfilled.
- 2. Individual recognition of successful completion of the approved course of study will occur as follows:
 - a. Certification may be issued by the Commission to any person who successfully completes the prescribed course of study, passes the Commission Certification Examination, meets all minimum selection and employment standards, and is employed as a fully employed law enforcement officer in Michigan within one (1) year of the training session completion.
 - b. Basic Police Training Schools shall not issue basic law enforcement training certificates. R28.4310 (2).

Chapter III - Unit 10

Facilities and Equipment

POLICY

An approved basic police training school's facilities and equipment shall meet all established MCOLES requirements necessary to accommodate the authorized number of students granted in the approved annual proposal.

PURPOSE

Under the authority of PA 203, of 1965, as amended, the Commission is responsible for preparing and publishing minimum standards for training facilities and equipment.

PROCEDURE

10.01 Minimum Requirements for Facilities

The facilities shall consist of:

1. Classroom and Library

The classroom shall have an environment (climate control, noise barrier, seating, etc.) that is conducive to effective learning.

A library containing books and reference material addressing the law enforcement discipline shall be readily available to the student.

Equipment shall consist of suitable audio/visual equipment; projection screen that meets projection standards for room size; copier equipment; flip chart; chalkboards; bulletin boards; latent fingerprinting; palm-printing equipment; material for student practice; and facsimile machine.

2. <u>Firearms Range</u>

The firearms range, whether indoors or outdoors, shall comply with current Commission firearms specifications.

Equipment shall consist of eye and ear protectors for each person on the firearms range (individuals may provide their own). The protectors shall be of suitable quality and be recognized by the Michigan Occupational Safety and Health Act as appropriate safety equipment. Handguns and holsters (type(s) used by the law enforcement agencies served). The equipment combination shall be appropriate (e.g., Holster fits handgun).

3. Subject Control

The area established for subject control training shall be large enough to allow the practice of required takedowns, holds, and releases without injury to the participants. The gym mats shall meet or exceed the current standards as established by the National Collegiate Athletic Association (NCAA).

A locker room shall be convenient with a locker for each individual. Separate shower, and toilet facilities shall be available for males and females.

Equipment shall consist of handcuffs and leather goods; police-type shotguns; and riot batons.

4. <u>Emergency Vehicle Operation</u>

The area utilized for emergency vehicle operation shall meet or exceed the standards established by the Michigan Driver Training Reference Guide.

Equipment shall consist of manufacturer's designated "police package" vehicles with job related equipment for emergency vehicle operation.

10.02 Minimum Requirements for Equipment

The approved basic police training school, or recruit where appropriate, shall have modern training techniques and equipment.

Chapter III – Unit 11

Instructor Qualifications

POLICY

Instructors in the basic police training program shall meet acceptable standards of competence and behavior.

PURPOSE

Instructors shall possess the necessary experience, knowledge and skills to effectively instruct in their assigned areas of the basic police training program, and be knowledgeable of the Commission's philosophical statement for basic training programs as described in Chapter I, Section 3.

PROCEDURE

11.01 Instructor Requirements in Content Area(s)

1. Minimum Instructor Requirements:

An instructor shall have a minimum of one (1) year job experience or have the professional training, demonstrable skills, and experience that relates to the subject area(s) to which the instructor is assigned. The instructor shall be recommended by the Training Director to receive MCOLES approval.

2. Legal Instruction:

All legal subjects shall be taught by an attorney admitted to the Michigan Bar.

3. Standard First Aid, Child Birth, and Vehicle Extrication:

An instructor in standard first aid and personal safety, childbirth, and vehicle extrication shall first be approved by the American Red Cross to instruct in each of these subjects.

4. Cardio-Pulmonary Resuscitation (CPR):

An instructor of cardio-pulmonary resuscitation (CPR) shall first be approved by the American Red Cross or Michigan Heart Association to instruct this subject.

5. Subject Control:

A subject control instructor shall first successfully complete a recognized subject control instructor training program and serve as an assistance instructor under the tutelage of a Primary Instructor. The instructor shall be recommended by the Training Director and Primary Instructor as approved by the MCOLES.

6. Emergency Vehicle Operation:

An emergency vehicle operation instructor shall first successfully complete a recognized an emergency vehicle operation instructor training program and serve as an assistant instructor under the tutelage of a Primary Instructor. The instructor shall be

recommended by the Training Director and Primary Instructor as approved by the MCOLES

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7. Firearms:

A firearms instructor shall first successfully complete a recognized firearms instructor training program and serve as an assistant instructor under the tutelage of a Primary Instructor. The instructor shall be recommended by the Training Director and Primary Instructor as approved by the MCOLES.

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8. Hazardous Materials:

A hazardous materials instructor shall first successfully complete a recognized HazMat instructor course and serve as an assistant instructor under the tutelage of a Primary Instructor. The instructor shall be recommended by the Training Director and Primary Instructor as approved by the MCOLES.

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9. Speed Measurement:

A speed measurement instructor shall first successfully complete a MCOLES recognized speed measurement instructor course and be certified by MCOLES to instruct speed measurement.

11.02 Classroom Demeanor and Appearance

- 1. An instructor shall reflect high standards of professionalism both in appearance and behavior.
- 2. An instructor shall have the ability to effectively communicate with students as adult learners and to instruct in a manner that motivates students to learn.

11.03 Preparation for and Execution of Instructional Responsibilities

- 1. An instructor should complete an instructor-training course that includes the principles of adult learning theory.
- 2. Each instructor shall complete a formal lesson plan using the MCOLES basic training module objectives. The lesson plan(s) should include time allotments, use of training aids, and be maintained on file with the Academy.
- 3. Instructors are responsible for preparing test items to measure student achievement of the MCOLES training objectives.

11.04 Primary and Assistant Instructors

- 1. Primary Instructors are individuals qualified to teach a specific <u>skill area</u> and are recognized as such by the MCOLES. Only Primary Instructors are authorized to teach in the skill areas as lead instructors but may be assisted by others (Assistant Instructors).
- 2. Assistant Instructors who seek status as Primary Instructors in the skill areas of subject control, emergency vehicle operation, and firearms shall first teach under the tutelage of a Primary Instructor as prescribed by the MCOLES.
 - Subject Control: The instructor shall function as an assistant instructor under the tutelage of a current Primary Subject Control Instructor for 48 on-site hours.

Emergency Vehicle Operation: The instructor shall function as an assistant instructor under the tutelage of a current Primary Emergency Vehicle Operation Instructor for 24 on-site hours during one Academy session.

Firearms: The instructor shall function as an assistant instructor under the tutelage of a current Primary Firearms Instructor until competency is reached to be approved by a Primary Instructor.

11.05 Continuation of Instructor Status

- 1. An instructor shall be formally evaluated by the Training Director of his/her designate at least once every two (2) years. The instructor shall be evaluated to determine whether the instructor:
 - a. Possesses the requisite skills and knowledge in the subject.
 - b. Uses a suitable written lesson outline.
 - c. Effectively delivers training in the classroom.

Failure to perform satisfactorily may result in the revocation of instructor status by the MCOLES.

2. An instructor shall teach in his/her assigned curriculum area at least once every two (2) years in order to maintain their MCOLES approved status. It is the instructor's responsibility to remain current in his/her respective area of instruction.

Chapter III - Unit 12

Michigan Commission on Law Enforcement Standards Program Monitoring

POLICY

The MCOLES will conduct periodic inspections of the basic training program at approved locations to ensure recruit and training institution compliance with Commission policies and procedures.

PURPOSE

The purpose of this policy is to fulfill the MCOLES's statutory responsibility for program oversight. On-site monitoring and inspection of approved programs provides an independent verification that the students and the institution are in compliance with all applicable requirements, procedures and laws relative to law enforcement training and certification.

PROCEDURE

12.01 COMMISSION PROGRAM MONITORING

- 1. MCOLES Inspectors shall conduct on-site inspections and program audits of approved programs.
- 2. MCOLES staff will contact the Training Director before training staff, instructors, or trainees are contacted.
- 3. MCOLES staff will advise the Training Director of the results of an inspection in writing.

Chapter III – Unit 13

Forms and Procedures

POLICY

An approved training school shall complete and submit all required MCOLES forms.

PURPOSE

This policy establishes the procedure for collecting appropriate documentation that will serve as the official State record verifying that the requirements of Public Act 203, of 1965, as amended, have been fulfilled.

PROCEDURE

13.01 Application for Enrollment/Certification (TC-1)

An original application for Enrollment/Certification (TC-1B) shall be completed by a law enforcement agency and by preservice applicants (TC-1P) and forwarded to the appropriate Training Director before a recruit will be allowed to attend a Commission approved training session. The TC-1B/P and the required attachments shall be received by the Training Director at least ten (10) working days prior to the first scheduled day of class and be properly filled out and signed. Incomplete or late applications will not be accepted.

This original application shall be completed and presented to the MCOLES at the time of the MCOLES orientation.

13.02 Physician's Statement of Candidate's Medical Condition (TC-1A) Employed Recruit and Preservice Candidates.

This form is required and shall be attached to the TC-1B/P. The TC-1A shall be completed in full and signed in the appropriate place by the approved examining licensed physician(s).

13.03 Curriculum Verification Record (TC-5).

This document is the official commitment by the school to provide mandatory basic training as required by the Commission. The column indicating Proposed shall be filled in, the dates of the school listed, and the document dated and signed by the Training Director. This document shall be submitted to the MCOLES two weeks prior to the first day of training.

As a final verification of training provided, the TC-5 column indicating actual training provided, shall be filled in at the end of training and submitted to the MCOLES along with other required documentation.

13.04 Primary Instructors in the Mandatory Curriculum (TC-7).

All instructors shall be qualified and competent to instruct in the approved training session. Primary Instructors are individuals qualified to teach a specific skill area and have been verified as such by the Training Director. Only Primary Instructors are authorized to teach in the skill areas as lead instructors but may be assisted by others. In the legal subjects, the instructor shall be an Attorney admitted to the Michigan Bar.

The TC-7 must be included in the proposal prior to the first day of the training session.

13.05 Enhanced Curriculum Verification Record (TC-8).

This document shall be completed whenever additional subjects are taught as part of the training requirements. Additional subjects shall be reviewed and approved by the Training and Education Advisory Committee prior to inclusion in the training session. Attach copies of course objectives. This document shall be included in the proposal prior to the first day of the training session.

13.06 Student Performance Record (TC-12).

This document is the official record of a recruit's performance in the mandatory training session. The Training Director shall prepare this document for each graduating recruit. In cases of skill area extensions, this document will be completed and submitted to the MCOLES after the Training Director has received notification of successful completion.

The original TC-12 shall be submitted to the MCOLES prior to the Commission Certification Examination for each recruit successfully completing all aspects of the approved training session.

Local and Regional Basic Police Training Schools Chapter III – Unit 14

Recognition of Basic Training Program Graduates

POLICY

There shall be an award entitled "The Commission on Law Enforcement Standards"

<u>Outstanding Performance Award</u>. The award may be presented to an outstanding recruit in each Commission approved basic police training session. The Commission will be responsible for purchasing and presenting the award.

PURPOSE

The award provides recognition to basic training participants who exhibit high standards of performance measured by their mental, physical and moral fitness while in the training environment.

PROCEDURE

14.01 Description of Outstanding Performance Award and Criteria to be Measured

An award may be presented to the recruit who has demonstrated outstanding performance in the basic police training program. Outstanding performance shall be measured by assessing the recruit's level of performance in the categories of knowledge, skill, leadership, interpersonal communication and appearance. Each of these 5 categories is given equal weight. The award will be in the form of a plaque and entitled "Outstanding Performance Award"

14.02 Academy Session and Candidate Qualifications

An approved basic police training program may nominate a graduate who has met the criteria for the Commission on Law Enforcement Standards Outstanding Performance Award as follows:

1. A basic police training program having 10 or more graduates may present an Outstanding Performance Award to one of its graduates. Graduating classes of less than 10 graduates may be combined with the next graduating class.

- a. The award should be made at a time when the presentation affords the best opportunity for recruit and public recognition such as a formal graduation ceremony, or an occasion when other awards are presented (i.e. a dinner or banquet).
- b. The Training Director shall first identify recruits who performed in the top 20% of the class in each of the two categories of knowledge and skill. These recruits then will be rated according to 14.03.

14.03 Rating the Candidates

Candidates for the award shall be in the top 20% of the class in <u>each</u> category of knowledge, skills, interpersonal communication, leadership, and appearance. The candidates with the highest total number of points will receive the award.

- 1. Knowledge (Rated by the Training Director)
 - a. Points are to be awarded according to their in-house test score average.
 - b. An overall grade percentage of 100% to 90% = 10 points, 89% to 85% = 8 points and 84% to 80% = 6 points.
- 2. Skills (Rated by the Training Director)
 - a. All skills that are taught where the recruit is required to physically perform are to be considered. (At a minimum emergency vehicle operation, firearms, subject control, and first aid.)
 - b. Points are to be awarded according to their in-house test scores: written and performance. Each skill should be rated individually.
 - c. An overall grade percentage of 100% to 90% = 10 points, 89% to 85% = 8 points and 84% to 80% = 6 points. The top 20% will be determined by the total number of points for all skills.

3. Interpersonal Communication

- a. Rated by recruits, Training Director, and Assistant Training Director who each have a singular vote.
- b. How the recruit relates to fellow students and instructors. Do they speak in a clear voice, express their views in a clear, concise, and non-offensive manner? Are they a willing listener?
- c. Scoring: 10 points, 8 points, 6 points and 0 points.

4. Leadership

- a. Rated by recruits, Training Director, and Assistant Training Director who each have a singular vote.
- b. Willing to follow a person because of the example they provide in courteous, mature, positive attitude towards meeting the school's requirements and the Law Enforcement Code of Ethics (Not acting officiously, talking about fellow students, etc.) Do not consider any factors addressed in other categories (appearance /communications, etc.)
- c. Scoring: 10 points, 8 points, 6 points and 0 points.
- 5. Appearance (Rated by Recruits and Training Director)
 - a. Rated by recruits, Training Director, and Assistant Training Director who each have a singular vote.
 - b. Hair, clothes, bearing, and carriage.
 - c. Scoring: 10 points, 8 points, 6 points and 0 points.

Scoring

Rank scoring is accomplished by establishing the sum total for all categories for each individual. Each individual must achieve a score reflective of at least 80% of the total possible points (class size x 10 points) in each category to continue in the process or otherwise he/she is eliminated. The highest-ranking score will then receive the award.

Overall Score Tie Breaking

If there is a tie score, the tie will be broken by re-scoring the actual academic and skill test score averages and adding them to the existing total score.

14.04 Presentation Ceremony

The master of ceremonies for the graduation exercise shall schedule the MCOLES award to immediately follow the presentation of all other awards. The presenter shall be introduced by name along with the fact that a MCOLES award will be presented.

The presenter of the award will be either a Commission member or a member of the MCOLES staff. The presentation shall be made in a uniform manner throughout the state so a traditional ceremony is established. The audience is to be informed of the name of the award, what is measured, and how the winner was determined.

Chapter III - Unit 15

Repeat Trainees

POLICY

Repeat trainees may be enrolled at the exclusive expense of the employing law enforcement agency.

PURPOSE

The MCOLES will reimburse only once for the training cost for recruits of law enforcement agencies.

PROCEDURE

15.01 Repeat trainees may be enrolled as follows:

- 1. An agency petitioning an approved school to enroll a repeat trainee shall be responsible for.
 - (a) All training costs
 - (b) All live in costs
- 2. A training school shall not accept a repeat trainee into class unless tuition costs, which shall not be less than those annually established by the MCOLES, are paid to the school by the law enforcement agency when submitting the TC-1.
- 3. The Commission will not assume any financial responsibility for a person identified as a repeat trainee.
- 4. The MCOLES will not include repeat trainees in the financial agreement between the Commission and the training school.

Chapter III - Unit 16

Funding/Reimbursement

POLICY

MCOLES shall reimburse training expenses for police recruits employed by local law enforcement agencies from funds appropriated for that purpose.

PURPOSE

Section 14, PA. 203 of 1965, as amended allows state reimbursement of training costs incurred by or for a city, county, township, village, or approved training school.

PROCEDURE

16.01 Funding Formula and Reimbursement for Training Costs

The Commission staff shall meet and confer with the Training Director from each basic training academy prior to the start of each fiscal year for the purpose of establishing the statewide basic police training calendar.

The staff shall propose and submit a funding formula and policy for the coming fiscal year to the Commission for its review and approval. The final approved plan shall then be distributed to the qualifying law enforcement agencies.

16.02 Authorized Funding Limits

A policy consistent with the procedures in 16.01 may be approved by the Commission to establish enrollment and funding limits.

Local and Regional Basic Police Training Schools Chapter III – Unit 17

Accommodation Policy for Training and Testing

POLICY

It is the policy of the Michigan Commission on Law Enforcement Standards to provide qualified individuals an opportunity to participate in and meet Commission requirements for the mandatory basic training program and/or the MCOLES basic training certification examination. A qualified individual with a disability, as defined by the Americans with Disabilities Act, may request an accommodation. The Commission will determine whether a person is eligible for an accommodation on a case by case basis. Requests for an accommodation in meting basic training and/or testing requirements shall be reviewed by Commission staff and the basic training academy director to determine whether an accommodation will reasonably allow the individual the opportunity to successfully complete the mandated course of study and/or the certification examination process.

<u>PURPOSE</u>

In order to conform with the requirements of the Americans with Disabilities Act and Michigan Handicappers Civil Rights Act, the MCOLES has developed a policy and procedure for reviews and approve requests for accommodation by individuals with disabilities. This policy shall apply to individuals who seek an accommodation in training or testing for MCOLES approved basic training program.

PROCEDURE

17.01 Responsibility of Law Enforcement Candidate to Request Accommodation

1. Completion of Commission form TC-3, "Request for Accommodation for Training or Testing."

- a. Individuals with a disability who wish to request an accommodation for the basic training program and /or certification examination must complete the MCOLES form titled "Request for Accommodation for Training or Testing" (TC-3) and submit the form to the training academy at least 45 days in advance of the beginning of the basic session or the scheduled date of the basic training certification exam. Only a qualified individual with a disability can request an accommodation. (Note: the 45 days time requirement can be waived by the MCOLES depending on individual circumstances).
- b. The Training Director will review the request for accommodation, enter any comments in writing and sign where indicated on the TC-3, and then forward the form to the MCOLES.

17.02 Responsibility of Law Enforcement Candidate to Request Accommodation

- 1. When the Request for Accommodation in Training and Testing form (TC-3) is received by the MCOLES, the following procedures will be initiated:
 - a. A case file for the requesting individual will be opened. All verbal communication with the individual, parent, doctor, Training Director, counselor, etc., will be documented in writing and filed. All relevant written documents will also be filed.
 - b. The MCOLES will acknowledge receipt of the request for accommodation in writing and obtain a signed release from the requesting individual. The purpose of the release is to enable the MCOLES to acquire records from appropriate sources in order to document the disability.
 - c. The Commission will request disability records and documentation from the sources identified by the requesting individual. The disability documentation may be reviewed by an independent specialist chosen by the MCOLES.

- d. The results of the specialist's review will be used by the MCOLES to help determine if the requested accommodation can be made without posing and undue risk to the individual or other trainees, and if the accommodation will reasonably allow the individual the opportunity to successfully complete the basic training and/or certification examination requirements, without compromising professional training/testing standards.
- e. The MCOLES will collaborate with the Training Director before a decision on the requested accommodation is made. The final decision shall be made by the MCOLES.

17.03 Notification of Candidate and Training Director

- 1. Notification in writing and acknowledgment required.
 - a. The person seeking the accommodation will be notified in writing of the MCOLES decision. The details of the accommodation will be specified in the written notification. A copy of the notification will be sent to the Training Director.
 - b. The individual will be required to notify the MCOLES, in writing, of their intent to accept the accommodation as offered. A copy of the acceptance letter will be sent to the Training Director by the MCOLES.

17.04 Waiver of Accommodation Request or Approval

1.Requirements

- a. After a request for an accommodation has been made to the MCOLES, and individual who wishes to withdraw his/her request will be required to sign a waiver of their initial accommodation request.
- b. If an individual decides not to utilize a requested accommodation once it has been approved by the MCOLES, the candidate must so notify the Commission in writing. Upon receipt of the written notification, the MCOLES will require the individual to sign a waiver. The MCOLES will notify the Training Director of the individual's refusal to utilize the approved accommodation.

17.05 Appeal of Denial or Approval of and Accommodation

- 1. A denial of a requested accommodation may be appealed by the individual to the Executive Director of the MCOLES.
 - a. The appeal must be made in writing within two weeks of the denial of the requested accommodation.
 - b. The appeal must delineate the reasons why the accommodation denial should be overturned.
 - c. The MCOLES will notify the Training Director when a formal appeal request has been received.
- 2. A Training Director may appeal the decision of the MCOLES to grant an accommodation. The appeal shall be made to the Executive Director of the MCOLES.
 - a. The appeal must be made in writing within one week of the notification to the Training Director that the accommodation has been approved.
 - b. The appeal must specify the rationale for why the approved accommodation should be deleted or modified.

Local and Regional Basic Police Training Schools Chapter III – Unit 18

Training Vehicle Use Policy

POLICY

Each MCOLES approved basic training academy shall have a written policy that establishes the procedures for the safe operation and legal use of training vehicles during emergency vehicle operations training or other relevant training that requires the use of a vehicle. The training director shall ensure that all staff and students follow prescribed procedures during the basic training session. The policy shall establish protocols for the use of marked and unmarked police academy training vehicles, the tracking of individuals responsible for their safe and legal operation, the limits of enforcement authority, and the procedures for discipline and complaints. It shall be the responsibility of MCOLES to review and approve each site's vehicle use policy as part of the annual operating proposal approval process. It shall be the responsibility of the training delivery site to enforce all aspects of its approved policy.

PURPOSE

This policy directs the academy administration to establish protocols for the safe and legal operation and use of a training vehicle during the basic training session. It also sets forth the minimum parameters for the procedures to be contained in the academy vehicle use policy. The intent is to create a safe environment for practical skills training and testing. Reality-based training is encouraged by MCOLES, particularly in high liability areas, however, recruits and students must always be allowed to make training errors in a safe environment. Therefore, the policy must contain written procedures that, at a minimum, will legally and safely address all of the below listed concepts:

REQUIRED PROCEDURES TO BE ADDRESSED

Academies must develop specific procedures that address the requirements contained in sections 18.01 through 18.05 of this policy.

18.01 Official Use.

- 1. The policy shall specify that training vehicles shall be used for official purposes only and that recruits shall operate the vehicles for authorized activities only. Personal use of training vehicles by recruits shall be prohibited.
- 2. The policy shall specify that training vehicles shall not be operated on public roads unless licensed and insured for such use. The policy shall govern when and where training vehicles are to be driven, particularly when not being used during training exercises.
- 3. The policy shall describe the enforcement authority of the recruits and prohibit the recruits from taking independent enforcement action in any situation.
- 4. The policy shall govern the method of identifying vehicles as "training vehicles." If the training provider is a law enforcement agency and the training vehicle is fully marked and fully equipped, the training provider may be exempt from this requirement.

18.02 Safe Operation.

- 1. The policy shall prohibit the operation of a motor vehicle if, under any circumstances, the recruit's ability to safely operate the motor vehicle is impaired. In establishing such policy, academies shall consider factors such as:
 - a. wearing prescribed corrective lenses;
 - b. being free from the influence of any drug known to impair the ability to operate a vehicle;
 - c. having no measurable blood alcohol level;
 - d. being well rested and alert;
 - e. having no medical condition that may affect the ability to operate a vehicle; and
 - f. having no injury that may impair the ability to operate a motor vehicle.
- 2. The policy shall require that recruits shall operate training vehicles in a safe, responsible, and professional manner and that training staff and recruits shall comply with all applicable traffic laws.

18.03 Documentation Requirements.

1. The policy shall establish a procedure for administratively tracking training vehicles. Documentation shall specify the instructor assigned to a vehicle, the recruits assigned to the vehicle, date, daily beginning and ending mileage, the reason the vehicle was being used, and any comments regarding unusual circumstances or vehicle defects.

18.04 Complaint Investigations.

- 1. The policy shall ensure that complaints involving the operation of a training vehicle shall be immediately reported to the training director, who will then initiate an investigation, and who will notify the MCOLES if there is a potential violation of the policy.
- 2. The policy shall require the training director to notify MCOLES staff of any injuries or accidents or when the complaint investigation results in any disciplinary action that may affect the recruit's ability to meet employment and selection standards.

18.05 Discipline

- 1. The policy shall specify that violations of policies, procedures, rules, regulations, or laws by the recruit, training provider, or training staff, may result in:
 - a. civil penalties;
 - b. criminal penalties;
 - c. probation, suspension or revocation of approval to conduct basic police training;
 - d. written reprimands;
 - e. other discipline as necessary, up to and including dismissal from the academy.

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Chapter IV PRESERVICE BASIC TRAINING

TABLE OF CONTENTS

THE MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Preservice Basic Training Program Chapter IV

Unit

- 1. Administrative Law
- 2. Establishing Preservice Basic Training Programs
- 3. Responsibilities and Duties of the Program Administrator, Training Director,, and the Training and Education Advisory Committee.
- 4. Continuation or Revocation of Approved Training Program
- 5. Enrollment in an Approved Preservice Track Program
- 6. Preservice Basic Training Requirements for Successful Completion
- 7. Dismissal of Students for Failure to Meet Training Requirements
- 8. Recognition of Successful Completion of the Basic Preservice Training Program
- 9. Rules while in Attendance at a Commission Approved Training School
- 10. Facilities and Equipment
- 11. Instructor Qualifications
- 12. The Michigan Commission on Law Enforcement Standards Program Monitoring
- 13. Forms and Procedures
- 14. Recognition of Preservice Basic Training Program Graduates
- 15. Accommodation Policy for Training and Testing
- 16. Training Vehicle Use Policy

Preservice Basic Training Program

Chapter IV – Unit 1

Administrative Law

Filed with the Secretary of State on December 20, 1988. These rules take effect 15 days after filing with the Secretary of State. (By authority conferred on the law enforcement Commission by section 11 of Act No. 203 of the Public Acts of 1965, as amended, being 28.611 of the Michigan Compiled Laws) R 28.4309 of the Michigan Administrative Code, appearing on pages 91 and 92 of the 1981 Annual Supplement to the 1979 Michigan Administrative Code, is amended to read as follows:

R 28.4301 Definitions.

Rule 1.

- (1) As used in these rules:
 - (a) "Act" means Act No. 203 of the Public Acts of 1965, as amended, being 28.601 et seq. of the Michigan Compiled Laws.
 - (b) "Class" means students or trainees administratively grouped to begin training or education activity.
 - (c) "COMMISSION" means law enforcement Commission.
 - (d) "Preservice basic training program" means a Commission approved training and education program offered by a college or university that allows a qualified graduate to be certified as a law enforcement officer upon employment.

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- (d) "Preservice basic training program graduate" means a person completing the training and educational requirements of a Commission approved preservice basic training program.
- (f) "Preservice track" means courses containing mandated Commission objectives.
- (g) "Training and education advisory committee" means law enforcement officials participating in the design and evaluation of Commission approved training and education activities.
- (h) "Training objectives" means training objectives mandated by the Commission
- (2) Terms defined in the act have the same meaning when used in these rules.

R 28.4302 Approval to institute a preservice basic training program.

Rule 2

Commission approval shall be obtained in writing by a college or university before instituting a preservice basic training program.

R 28.4303 Application for approval.

Rule 3.

- (1) A college or university shall submit a written request to establish a preservice basic training program.
- (2) The application shall contain, at a minimum, all of the following:
 - (a) A statement that facilities and equipment required are available for students and instructors.

- (b) A description of affiliation with other agencies, colleges, and universities that will be part of the preservice basic training program.
- (c) A description of the duties and responsibilities and membership of the training and education advisory committee.
- (d) The name, address, and position of the person responsible for establishing the preservice basic training program.
- (e) A description of the applicant's goals and objectives for the preservice basic training program.
- (f) A description of the nature and scope of the applicant's financial and philosophical commitment to the preservice basic training program concept.
- (g) A list of college or university rules governing student conduct beyond those established by the Commission.
- (h) A description of how students will be screened before acceptance in the preservice basic training program at the applicant's institution.
- (i) The projected starting and graduation date of the first class.
- (j) A projection of how many students will be enrolled in the program on a yearly basis.
- (k) Identification of how and where Commission training objectives and additional college or university training objectives will be incorporated into college or university course work.
- (l) Identification of the requirements that an enrolled student shall meet in order to successfully complete the prescribed course of study at the college or university.
- (m) Authorization for the Commission to inspect all aspects of the preservice basic training program approved by the Commission.

- (3) An incomplete application, as determined by the Commission, shall be refilled within 30 days after the date of a request for amplification or clarification.
- (4) Failure to comply with sub rule (3) of this rule is grounds for denial of the application.

R 28.4304 Approved programs.

Rule 4.

- (1) Colleges and universities approved by Commission to establish a preservice basic training program shall do all of the following:
 - (a) Comply with the approved proposal.
 - (b) Utilize fully qualified and competent instructors in track courses.
 - (c) Comply with procedures established under authority of R 28.4308.

R 28.4305 Notice of change in structure or content of program.

Rule 5.

A college shall notify the Commission of any change in the structure or content of an approved preservice basic training program which would affect the factors included in R 28.4303(2) not less than 90 days before the start of a new class.

R 28.4306 Revocation of Commission approval; probation.

Rule 6.

- (1) A violation of the rules or deviation from the approved program by a college or university, which is documented by the Commission, constitutes cause to revoke approval as a preservice basic training program institution.
- (2) The Commission may place an approved school on probation for a specific time frame instead of revoking approval.

R 28.4307 Rights of appeal and waiver.

Rule 7.

- (1) Approved schools shall have standing to do both of the following:
 - (a) Appeal denials to the Commission.
 - (b) Seek waivers from the Commission for enrolled students.
- (2) Enrolled students shall have standing to appeal to the Commission on matters relating to infringement of Commission rules.
- (3) Commission decisions shall be binding.

R 28.4308 Policies and procedures manual.

Rule 8.

The Commission shall prepare and publish a preservice basic training program policies and procedures manual, consistent with these rules, which shall govern the implementation, administration, and evaluation of approved programs.

R 28.4309 Student requirements.

Rule 9.

- (1) A student shall comply with all of the following:
 - (a) Meet all current selection and employment standards in R 28.4102 at time of employment as a law enforcement officer.
 - (b) Be fingerprinted on a Michigan State Police applicant card and submit the prints to the Commission to be forwarded to the department of state police for a criminal record search.
 - (c) Authorize the college or university to release student records to the Commission pertaining to preservice enrollment application and academic transcripts.
 - (d) Complete all Commission-approved preservice track courses within a 2-year period.
 - (e) Attain a satisfactory grade of C or above (2.0 out of 4.0) in all preservice track courses, which shall indicate successful completion of the preservice enrollment application and academic transcripts.
 - (f) Meet the requirements established by the college or university for the preservice program that are approved by the Commission.
 - (g) Graduate from an associate or baccalaureate degree program at an accredited college or university.
 - (h) A person who is not employed as a law enforcement officer within 1 year of completion of track courses shall, before employment, attain a passing score on examinations assessing the candidate's competence in courses established by Commission. One additional year of certifiable status may be obtained by completing the Waiver of Training program.

R 28.4310 Basic law enforcement training certificates.

Rule 10.

- (1) The Commission shall issue a basic law enforcement certificate, at the time of employment, to a person who successfully completes the preservice basic training program and meets all minimum selection employment standards.
- (2) Colleges and universities shall not issue basic law enforcement training certificates.

R 28.4311 Responsibilities of employing agency.

Rule 11.

- (1) Before employing a preservice basic training program graduate as a law enforcement officer, the employing agency shall do all of the following:
 - (a) Fulfill the requirements of R 28.4103.
 - (b) Notify the Commission, in writing, of intent to employ a preservice basic training graduate.
 - (c) Submit forms, prepared and furnished by the Commission, which shall detail documented compliance with employment and training rules.

Preservice Basic Training Program

Chapter IV - Unit 2

Establishing Preservice Basic Training Programs

POLICY

A Preservice Basic Training Program may be administered by a college or university, which qualifies under the rules of the Commission and for which approval is granted by the Commission

PURPOSE

The MCOLES is responsible for establishing preservice basic training programs at colleges and universities under the authority of Section II (f), PA 203, of 1965, as amended.

PROCEDURE

2.01 Approval to Institute a Preservice Basic Training Program (see R 28.4302 and R 28.4303)

A college or university interested in establishing a preservice basic training program shall:

- 1. Identify the Program Administrator by name, position and address as the individual responsible for establishing the preservice basic training program.
- 2. Form a Training and Education Advisory Committee. (See 3.03)
- 3. Submit a written request to the Executive Director of MCOLES detailing all of the following:
 - a. Describe the facilities and equipment to be utilized during the preservice basic training program.
 - b. Identify qualified and competent instructors to be utilized in the preservice basic training program.

- c. Provide a description of affiliation with other agencies, colleges, and universities which will be part of the preservice basic training program.
- d. Provide a description of the duties, responsibilities, and membership of the Training and Education Advisory Committee (see 3.03).
- e. Provide a description of the applicant's goals and objectives for the preservice basic training program.
- f. Provide a description of the nature and scope of the applicant's financial and philosophical commitment to the preservice basic training program concept.
- g. Submit a list of any special rules only applicable to preservice program students.
- h. Submit a description of how students will be screened before acceptance in the preservice basic track training program. In addition, a copy of the application packet utilized to enroll applicants in the preservice basic training program must be submitted.
- i. Identify the projected starting and graduation dates of the first class.
- j. Provide a projection of how many students will be enrolled in the program on a yearly basis.
- k. Identify how and where Commission-prescribed training objectives (and any <u>additional</u> college/university training objectives) will be incorporated into the college or university course work.
- 1. Identify the requirements that an enrolled student shall meet in order to successfully complete the prescribed course of study at the college or university.
- m. Provide authorization for the MCOLES to inspect all aspects of the preservice basic training program and to copy any documents.
- n. Provide a statement acknowledging that the college or university will comply with all MCOLES requirements.

o. Provide the MCOLES with a sample copy of any certificate that is issued to indicate student completion of course work for MCOLES approval prior to issuance to students.

2.02 Commission Approval (see R 28.4302)

Commission approval shall be obtained in writing by a college or university before instituting a preservice basic training program.

2.03 Commission Denial (see R 28.4303 [3,4])

Commission may deny requests that:

- 1. Require Commission to assume any financial commitment to the college or university seeking approval.
- 2. Are incomplete or inappropriate as determined by Commission.

Chapter IV - Unit 3

Responsibilities and duties of the Program Administrator, Training Director, and the Training and Education Advisory Committee.

POLICY

It shall be the responsibility of the Program Administrator, Training Director and members of the Training and Education Advisory Committee to perform specific duties at an approved preservice training location.

PURPOSE

This policy establishes a preservice basic program organizational structure that allows input from the Michigan law enforcement community and assigns responsibility for ensuring acceptable program performance.

PROCEDURE

3.01 Responsibilities and Duties of the Program Administrator.

The Program Administrator is responsible for providing administration and financial stability to the approved preservice training program. The Program Administrator shall:

- 1. Employ a Training Director on a full-time basis.
- 2. Provide proper facilities for the program. (See Unit 10)
- 3. Provide necessary equipment to ensure that course objectives can be met. (See Unit 10)

- 4. Allow the MCOLES to inspect all aspects of the approved program and to copy any documents.
- 5. Assign or release the Training Director or designated representative to attend MCOLES conferences.
- 6. Ensure that the approved program is in compliance with Commission approved policies and procedures and promulgated rules. R 28.4304 (c)
- 7. Ensure that all preservice applicants are screened according to institution procedures prior to acceptance into the preservice basic training program.
- 8. Notify the MCOLES of any change in the structure or content of the approved preservice basic training program which would affect the factors I included in R 28.4303(2) not less than 90 days before the start of a new class.

3.02 Responsibilities and Duties of the Training Director.

The Training Director is responsible for implementing, administering and monitoring the approved program in compliance with the requirements of the Commission, and shall:

- 1. Maintain general supervision/administrative control over the preservice basic training program.
- 2. Sequence the course of study, which shall incorporate the training objectives and hours, published in the current edition of the MCOLES "Basic Police Training Curriculum With Basic Training Objectives" Manual.
- 3. Enforce and comply with the rules promulgated by Commission, as well as any institutional rules approved for the program.
- 4. Ensure that preservice basic training program student records are complete and available when requested by the MCOLES.
- 5. Utilize fully qualified and competent instructors.

- 6. Orient instructors as to the rules and requirements of the preservice basic training program and provide each with course objectives, relevant instructor guidelines, training aids, and information on related subjects in the preservice basic training program.
- 7. Ensure that the preservice program training is delivered in a safe and proper manner.
- 8. Develop test banks and maintain security, integrity, and direct control over all basic police training school test banks. Training Directors must ensure that all testing for grades on Commission mandatory and approved courses must be physically monitored by an academy instructor or an employee designated by the training director. The use of unmonitored, remotely accessed testing (such as computer software and Internet connections) is prohibited.*
- 9. Establish rules regarding the use and care of firearms utilized by students during the firearms course.
- 10. Ensure that firearms are inspected for safety by a certified armorer in accordance with manufacturers recommendations or when excessive use warrants more frequent inspection.
- 11. Adhere to the MCOLES basic training philosophy (refer to Chapter I).
- 12. Prepare and publish internal policies addressing preservice training.
- 13. Forward all required documentation to the MCOLES within the time frames established in this manual.
- 14. Serve as the liaison between the preservice institution and the MCOLES. Attend or be represented at all MCOLES conferences and required meetings.
- 15. Act as liaison between the preservice institution and the Training and Education Advisory committee.
- 16. Notify the MCOLES in writing when a preservice basic training student is voluntarily of involuntarily removed from the preservice program, including justification, within 2 weeks of dismissal.
- 17. Immediately report any injury resulting from the preservice training.
- 18. Report any preservice training incident that results in property damage that has implications for potential injury (i.e., firearms mishap, vehicle accident, etc.).

Policy & Procedure Manual (Rev 2002)

Michigan Commission on Law Enforcement Standards Chapter IV – Unit 3 Page 3 of 4 19. Identify recruits that have been admitted into a preservice basic training program with an accommodation(s) to meet the minimum selection standards, Rule R28.4102(a) (e.g., glasses, contacts, hearing aid(s), etc.) Recruits admitted into a preservice basic training program with an accommodation(s) shall wear/use the accommodation(s) during all academy training, unless the activity is identified by the Training Director as presenting a hazard to the health and safety of the recruit.

3.03 Responsibilities and Duties of the Training and Education Advisory Committee.

The Training and Education Advisory Committee is an integral part of the preservice basic training program. The Committee shall consist of no less than five members, all active in the law enforcement community of which the program serves.

This committee shall:

- 1. Record minutes for each meeting. Copies of meeting minutes shall be sent to the MCOLES
- 2. Participate in the formulation of the preservice training proposal.
- 3. Participate in the selection of a Training Director.
- 4. Make recommendations to the preservice institution regarding the screening process, student evaluation, and school policy as it relates to the preservice basic training program.
- 5. Meet at least once a year to review the status of the approved program and make recommendations for program improvement.
- 6. Review, evaluate and make recommendations on all proposed enhanced curriculum
- 7. Establish and approve student rules of conduct beyond those established by the MCOLES.
- 8. Notify the MCOLES, in writing, at least three weeks prior to the meeting date, of the date, time, and location of all Training and Education Advisory Committee meetings.

Chapter IV - Unit 4

Continuation or Revocation of Approved Training Program

POLICY

All approved locations shall request annual renewal of their Commission performance contract.

PURPOSE

This policy allows an assessment as to whether the approved program has operated in compliance with the MCOLES policies and procedures. It also establishes a point at which a new and separate training cycle begins. A training cycle terminates two years from the starting date.

PROCEDURES

4.01 Continuation of Approved Training Program

All approved preservice institutions shall petition the MCOLES of the institution's intent to continue the preservice basic training program.

- 1. The written request for approval to continue offering preservice training shall be submitted by June 1st of each year to the Field Supervisor and contain:
 - a. A current updated operating proposal (see 2.01) including a TC-6 (Curriculum Verification Record), TC8 (Enhanced Curriculum Verification), and a TC-7 (Primary Instructors in the Mandatory "Published Curriculum").
 - b. The date the preservice track program will be begin for the coming school year.
 - c. A projected schedule of preservice track courses for the coming year to include instructor names

- d. A statement committing the approved institution either to:
 - (1) The rules set forth by Commission and the institution's currently approved and filed proposal; R 28.4304(a), or
 - a. The rules set forth by Commission and a statement of proposed modifications in the currently approved and filed proposal. R 28.4305

4.02 Revocation of Commission Approval; Probation, R 28.4306, Rule 6

- 1. A violation documented by the MCOLES of the rules or deviation from the approved preservice program by a preservice institution constitutes cause to revoke approval as a preservice basic training program institution.
- 2. Commission may place an approved school on probation for a specific time in lieu of revoking program approval.

4.03 Right to Appeal, R 28.4110

1. A preservice institution has a right to appeal under the contested case provisions of R 28.4110.

Chapter IV – Unit 5

Enrollment in an Approved Preservice Track Program

POLICY

All enrollment requirements shall be met before a student is given MCOLES status in a preservice training program.

PURPOSE

This policy establishes the point in time at which the MCOLES initiates recognition of the student's training as meeting the requirements set forth in Act 203, P.A. of 1965, as amended.

PROCEDURE

5.01 School Enrollment Requirements.

The Training Director shall:

- 1. Provide each student applicant with a copy of the program requirements.
- 2. Submit a "Preliminary Preservice Tracking Record" (TC-21) to MCOLES at least 2 weeks prior to the end of the first semester. Attach completed "Application For Enrollment/Certification (TC-1) and "Fingerprint Card" (RI-8) for each student listed on the TC-21.

5.02 Student Enrollment Requirements. R 28.4309

In order to enroll in an approved preservice training program, the student shall comply with the following:

- 1. Meet the current selection and employment standards in R 8.4102 and R 28.4102a except as specified in R28.4102 (h), (i), (j), and (k), prior to enrollment.
- 2. Be fingerprinted on a Michigan State Police applicant card (RI-8). The fingerprint cards are to be submitted to the training location.

- 3. Submit a signed and completed "Application for Enrollment/Certification (TC-1) to the Training Director.
- 4. Meet the Commission approved requirements established by the preservice institution for the preservice track program.
- 5. Attend and participate in a mandated MCOLES orientation program prior to the end of the first semester.

5.03 Student Requirements for Maintaining Compliance with the Commission's Selection and Employment Standards.

In order to continue participation in the preservice track program, the student shall comply with the following:

- 1. Maintain the current selection and employment standards while enrolled in the track program, except as specified in R28.4102 (h), (i), (j) and (k).
- 2. The student shall have a valid passing score on both (Reading and Writing and Physical Agility R 28.4102 (g) and (h)) tests at the time he/she takes the Commission's Certification exam.

Chapter IV - Unit 6

Preservice Basic Training Requirements for Successful Completion

POLICY

The preservice basic training curriculum shall consist of no less than the most recently published MCOLES basic training objectives, which shall be made available to the students, and the required instructional hours.

PURPOSE

Under the authority Public Act 203, of 1965, as amended, the MCOLES is responsible for preparing and publishing minimum courses of study for the entry-level law enforcement officer.

PROCEDURES

6.01 Successful Completion of the Preservice Basic Training Program.

In order to successfully complete the program, the student shall:

- 1. Attend and participate in at least 90% of the approved course of study, unless otherwise stated in this unit.
- 2. Meet the requirements for successful completion of subject control as approved by Commission, which are:
 - a. Achieve 100% attendance in the classroom to develop knowledge.
 - b. Achieve 90% attendance and participation in the application exercises to develop skills.
 - c. Attain a passing score on a performance test. One re-test will be allowed.

- 3. Meet the requirements for successful completion of firearms training as established by Commission, which are:
 - a. Achieve 100% attendance in the classroom to develop knowledge.
 - b. Achieve 90% attendance and participation in the application exercises to develop skills.
 - c. Qualify on a firearms course approved by the MCOLES.
 - d. Attain a passing score on a written examination addressing the academic objectives within the firearms course. One re-test will be allowed.
- 4. Meet the requirements for successful completion of first aid training as established by Commission, which are:
 - a. Achieve 90% attendance and participation in the curriculum hours approved by Commission in the First Aid course.
 - b. Achieve passing scores on all written and performance tests. One re-test per written/ performance test will be allowed.
 - c. Persons who hold a Paramedic, Emergency Medical Technician (EMT), or First Responder License issued by the Michigan Department of Health may be exempt from all or any portion of the First Aid requirements. Persons who hold an "Emergency Response" Certificate from the American Red Cross may also be exempt from all or any portion of the requirements. A copy of the license or Certificate shall be attached to the TC-23. (Note: The license or Certificate must be current at the completion of the program.)
 - (1). The Training Director shall determine how the additional curriculum hours will be utilized by the person who is exempt from meeting the Commission's first aid requirements. This time shall be appropriately documented on the TC-23.
- 5. Meet the requirements for successful completion of the emergency vehicle operation course as established by Commission.

- a. Achieve 100% attendance and participate in the classroom portion of the emergency vehicle operation course.
- b. Achieve 90% attendance in the precision driving course.
- c. Achieve passing scores on all written and performance tests. One re-test per written/performance test will be allowed.
- 6. Meet the requirements for successful completion of the academic courses as approved by Commission, which are:
 - a. Complete all Commission approved preservice track program courses within a 2-year period. R 28.4309 (d)
 - b. Attain a satisfactory grade of C or equivalent to a (2.0) or A (4.0) scale in each preservice track program course. R 28.4309 (e)
 - c. Graduate from an Associate or Baccalaureate degree program at an accredited college or university. R 28.4309 (g)
 - d. Meet the Commission approved requirements established by the preservice institution for the preservice program. R 28.4309 (f)

Chapter IV – Unit 7

Disciplinary Action for Rule and Academic Violations

POLICY

A student who does not meet all of the mandatory preservice training requirements specified in Unit Six (6) of this Chapter shall be removed from the program. In addition, a student shall meet all established Commission minimum Standards of Conduct (Rules) to remain in a training school.

PURPOSE

Public Act 203, of 1965, as amended, Section 9 (2) stipulates that a person shall not be empowered to exercise the authority of a peace officer in Michigan unless the person has complied with the minimum employment standards published by the Commission. Therefore, a person who does not meet the preservice training requirements shall be dismissed from the training program. Furthermore, the Commission Rules of Conduct are intended to establish uniformity among the various basic police training schools. The rules represent minimum standards of conduct and may be expanded upon by the approval institution if consent is given by the Training and Education Advisory Committee.

PROCEDURE

7.01 Academic Dismissals and Extension Requirements:

All dismissals shall be well founded and documented.

- 1. The failure by any student to do any of the following is cause for dismissal:
 - a. Successfully complete the prescribed course of study established in R28.4309 (6.01).
 - b. Meet the firearms, emergency vehicle operation, subject control, and first aid performance requirements during the training session. For exceptions when applicable, see Chapter IV, Unit 6, Section 6.01.

- c. Maintain selection and employment standards as established in R 28.4102 and R 28.4102a during the training class (law enforcement agency employees).
- d. Comply with Commission and School Rules and Regulations.

7.02 Any of the following conduct is cause for disciplinary action up to and including dismissal:

- 1. Consuming or possessing alcoholic beverages during training hours, including lunch and break times, unless authorized in a training situation; or reporting to any course and showing signs of use of alcoholic beverages is a violation of the Commission's "Zero Tolerance" policy. (Note: An approved preservice program is required to have a policy that enables the institution to test a recruit if there is reasonable suspicion that the individual is in violation of this policy. The policy shall stipulate that a student tested "for cause" will be dismissed from the training program if the student: (1) tests positive, (2) fails to report to for testing, or (3) otherwise refuses to submit to testing.) Zero tolerance means having a blood alcohol content (BAC) above 0.00 as registered on a preliminary breath test (PBT) administered by a qualified operator. *
- 2. Possessing or using a controlled substance except pursuant to a valid prescription as declared on an accommodation form to the Training Director. (Note: An approved preservice program is required to have a policy that enables the institution to test a recruit if there is reasonable suspicion that the individual is engaging in illicit use of a controlled substance. The policy shall stipulate that a student tested "for cause" will be dismissed from the preservice track training programs is the student: (1) tests positive, (2) fails to report to provide a specimen, or (3) otherwise refuses to give a urine specimen.) Drug testing procedures shall be conducted in accordance with the approved Commission Drug Testing Guidelines for agencies in effect at the time for any controlled substance, notwithstanding the limited drug panel in effect. *
- 3. Dishonesty in any form, and particularly in relation to any testing process.
- 4. Engaging in behavior that is a violation of the law. This includes violations of local ordinances or any court ordered injunction.
- 5. Engaging in conduct which violates School or Academy Rules of Conduct.
- 6. Failure to wear/use the mandatory accommodation(s) required to meet the Commission's minimum selection standards as specified in R 28.4102a, unless otherwise directed by the Training Director of the Academy.
- 7. Engaging in conduct which compromises the student's ability to perform as a law enforcement officer, which includes any violation of the provisions of the Law Enforcement Code of Ethics, as adopted by the Commission.

7.03 If a Student is Enjoined by a Personal Protection Order (PPO):

- 1. The student shall immediately notify the Training Director of the Academy of the existence of said order. Failure to do so shall be considered failure to disclose and shall be cause for discipline up to and including discharge from the Academy.
- 2. The student shall provide a copy of the order to the Training Director of the Academy and shall also immediately file for a hearing before the Circuit Court requesting that said hearing be held as expeditiously as possible for the purposes of adjudication.
- 3. The Training Director of the Academy shall then immediately advise MCOLES in writing.
- 4. If the order contains an element of violence or stalking behavior, or the firearms prohibition section is checked, the student shall not participate in training until the order is adjudicated. If these elements do not apply, a decision shall be made by the Training Director of the Academy on a case by case basis as to whether to allow the student to continue participating in training until the status of the order is adjudicated.
- 5. The Training Director of the Academy shall conduct an investigation into the incident as it would any other Rules violation. The person conducting the investigation shall keep MCOLES appraises of the status and may consult with MCOLES at any time. Upon completion of the investigation, copies of all reports and related materials shall be forwarded to MCOLES. Said reports shall be included in the student's training record.
- 6. After the Circuit Court hearing, if the order is dismissed, the student shall be returned to training. If the order is continued and contains an element of violence, stalking or firearms prohibition, the student shall continue to not participate in training. If these elements do not apply, a decision shall be made by the Training Director of the Academy on a case by case basis as to whether the student shall continue to participate in training, or be returned to training.
- 7. If a student's absence violates the attendance policy (Chapter IV, Unit 6, 6.01), the Training Director should follow the dismissal policy in Chapter IV, Unit 8.

7.04 If a Student is charged with a Violation of Michigan Law, Local Ordinance or the Laws of any other State, with the exception of Civil Infractions:

- 1. The student shall immediately notify the Training Director of the Academy of the charges and the facts surrounding it.
- 2. The Training Director shall immediately notify MCOLES of the violation and initiate an investigation into the incident as he/she would any other Rules violation. Copies of all reports pertaining to the investigation shall be forwarded to MCOLES and shall remain a part of the student's training record.
- 3. The student shall immediately be removed from training until the matter is completely adjudicated.
- 4. Depending on the results of the adjudication, a decision shall be made by the Training Director of the Academy as to whether the student is still compliant with minimum selection and employment standards. The Training Director of the Academy shall then make a determination whether or return the student to training or dismiss the student from the current Academy.
- 5. If a student's absence violates the attendance policy (Chapter IV, Unit 6, 6.01), the Training Director should follow the dismissal policy in Chapter IV, Unit 8.

Chapter IV - Unit 8

Student Dismissal and Appeal Procedures

POLICY

Preservice Basic Police Training schools shall follow the prescribed procedures for the dismissal of a student from an approved training session. A copy of the appeal procedure shall be provided to all dismissed students.

PURPOSE

The policy establishes a structured procedure to be followed in all dismissals. It provides for proper record keeping, documentation, notification, and due process regarding a student's appeal.

PROCEDURES

- 8.01 The following are the Procedures for the Student Dismissal Process and Appeals. R 28.4307(2)
 - 1. The procedure to dismiss a student is as follows:
 - a. The Training Director of the Academy shall:
 - (1) Notify the MCOLES and the college before taking action.
 - (2) Notify the student, verbally or in writing, that dismissal action is being taken.
 - (3) Advise the student regarding appeal.
 - (4) Report to the college and the MCOLES in writing, within two (2) working days, that dismissal action was taken, delineating the documented reasons for dismissal.

- b. All voluntary or involuntary separations from any training facility shall be reviewed by Commission staff. The review shall ensure that the correct procedures have been followed.
- c. It is left to the discretion of the Academy, whether or not the student will be allowed re-entry into that academy in another session.
- 2. The appeal procedure is as follows:
 - a. Any dismissal may be appealed to the MCOLES by the student. The appellant must, in writing, advise the MCOLES of the intent to appeal and the rationale as to the objection of the dismissal within five (5) working days.
 - (1) A student shall remain in the training session during the appeal process. During this time, the MCOLES and the Training Director of the Academy reserve the right to limit the student's participation in the training activities based on the dismissal charges.
 - b. Commission decisions regarding agency and student appeals are binding. R 28.4307(3)

Chapter IV - Unit 9

Recognition of Successful Completion of the Preservice Basic Training Track Program

POLICY

An individual will not be deemed by the Commission to have successfully completed the preservice basic training track program until all of the required documentation is received and verified by the MCOLES.

PURPOSE

Under the authority of Public Act 203, of 1965, as amended, the Commission is responsible for ensuring that individuals meet the basic training requirements before being eligible to receive a preservice basic training track program certificate.

PROCEDURES

9.01 Documentation Required for Successful Completion.

Individual recognition of successful completion of the approved program shall occur when:

- 1. The Final Preservice Tracking Record (TC-22) is received by the MCOLES.
- 2. The Preservice Student Record (TC-23) is received by the MCOLES.
- 3. An official college/university transcript showing the degree issued is received by the MCOLES.
- 4. The student has passed the MCOLES Certification Examination. This shall occur within one (1) year of student's preservice track program completion date. One (1) re-test is allowed within the same time frame.

9.02 Recognition of Successful Completion

- 1. A letter of congratulations and information about employment requirements will be sent to the individual when the requirements of 8.01 are fulfilled.
- 2. The Commission will issue a basic law enforcement training certificate to the individual when all employment standards are met, and upon employment as a law enforcement officer in Michigan.
 - a. An individual not employed within the first year must apply and recive acceptance into the Waiver of Mandatory Training Program and successfully complete an examination assessing competence in courses established by the Commission. This shall be completed prior to employment as a law enforcement officer in Michigan.
 - b. Preservice Basic Police Training Schools shall not issue basic law enforcement training certificates. R28.4310 (2)

Chapter IV - Unit 10

Facilities and Equipment

POLICY

An approved preservice institution's facilities and equipment shall meet all established MCOLES requirements.

PURPOSE

Under the authority of Public Act 203, of 1965, as amended, the Commission is responsible for preparing and publishing minimum standards for training facilities and equipment.

10.01 Minimum Requirements for Facilities

The facilities shall consist of:

1. <u>Classroom and library</u>

The classroom shall have an environment (climate control, noise barrier, seating, etc.) that is conducive to effective learning.

A library containing books and reference material addressing the law enforcement discipline shall be readily available to the student.

Equipment shall consist of suitable audio/visual equipment; projection screen that meets projection standards for room size; copier equipment; flip chart; chalkboards; bulletin boards; latent fingerprinting and palm-printing equipment and materials for student practice; and fax machine.

2. <u>Firearms Range</u>

The firearms range, whether indoor or outdoors, shall comply with current Commission firearms specifications.

Equipment shall consist of eye and ear protectors for each person on the firearms range (individuals may provide their own). The protectors shall be of suitable quality and be recognized by the Michigan Occupational Safety and Health Act as appropriate safety equipment. All handguns and holsters used shall be the type commonly used by the law enforcement agencies served. The equipment combination shall be appropriate (e.g., holster fits handgun).

3. Subject Control

The area established for subject control training shall be large enough to allow the practice of required takedowns, holds, and releases without injury to the participants. The gym mats shall meet or exceed the current standards as established by the National Collegiate Athletic Association (NCAA).

A locker room shall be convenient with a locker for each individual. Separate shower, and toilet facilities shall be available for males and females.

Equipment shall consist of handcuffs and leather goods; police-type shotguns; and riot batons.

4. <u>Emergency Vehicle Operation</u>

The area utilized for emergency vehicle operation shall meet or exceed the standards established by the Michigan Driver Training Reference Guides.

Equipment shall consist of manufacturer's designated "Police Package" vehicles with job related equipment for emergency vehicle operation.

10.02 Minimum Requirements for Equipment.

The approved basic preservice police training school, or student where appropriate, shall have modern training techniques and equipment.

Chapter IV - Unit 11

Instructor Qualifications

POLICY

Instructors in the preservice basic training program shall meet acceptable standards of competence and behavior.

PURPOSE

Instructors shall possess the necessary experience, knowledge and skills to effectively instruct in their assigned areas of the basic police training program, and be knowledgeable of the Commission's philosophical statement for basic training programs as described in Chapter I, Section 3.

11.01 Instructor Requirements in Content Area(s)

1. Minimum Instructor Requirements:

An instructor shall have a minimum of one (1) year job experience or have the professional training, demonstrable skills and experience that relates to the subject area(s) to which the instructor is assigned. The instructor shall be recommended by the Training Director to receive MCOLES approval.

2. Legal Instruction:

All legal subjects shall be taught by an attorney admitted to the Michigan Bar.

3. Standard First Aid, Child Birth and Vehicle Extrication:

An instructor in standard first aid and personal safety, childbirth, and vehicle extrication shall first be approved by the American Red Cross to instruct in each of these subjects.

4. Cardio-pulmonary Resuscitation (CPR):

An instructor of cardio-pulmonary resuscitation (CPR) shall first be approved by the American Red Cross or Michigan Heart Association to instruct this subject.

5. Subject Control:

A subject control instructor shall first successfully complete a recognized subject control instructor-training program and serve as an assistant instructor under the tutelage of a primary instructor. The instructor shall be recommended by the Training Director and approved by MCOLES.

6. Emergency Vehicle Operation:

An emergency vehicle operation instructor shall first successfully complete a recognized emergency vehicle operation instructor-training course and serve as an assistant instructor under the tutelage of a primary instructor. The instructor shall be recommended by the Training Director and approved by MCOLES.

7. Firearms:

A firearms instructor shall first successfully complete a recognized firearms instructor-training program and serve as an assistant instructor under the tutelage of a primary instructor. The instructor shall be recommended by the Training Director and approved by MCOLES.

8. Hazardous Materials:

A hazardous materials instructor shall first successfully complete a recognized HazMat instructor course and serve as and be certified by MCOLES to instruct hazardous materials subjects..

9. Speed Measurement:

A speed measurement instructor shall first successfully complete a MCOLES recognized speed measurement instructor course and be certified by MCOLES to instruct speed measurement.

11.02 Classroom Demeanor and Appearance

- 1. An instructor shall reflect high standards of behavior and professional bearing and appearance in the classroom and during all basic training activities.
- 2. An instructor shall have the ability to effectively communicate with students as adult learners and to instruct in a manner that motivates students to learn.

11.03 Preparation for and Execution of Instructional Responsibilities

- 1. An instructor should complete an instructor-training course that includes the principles of adult learning theory.
- 2. Each instructor shall complete a formal lesson plan using the MCOLES basic training module objectives. The lesson plan(s) should include time allotments and use of training aids and be on file with the academy.
- 3. Instructors are responsible for preparing test items to measure student achievement of the MCOLES training objectives.

11.04 Primary and Assistant Instructors

- 1. Primary Instructors are individuals qualified to teach a specific <u>skill area</u> and are recognized as such by the MCOLES. Only Primary Instructors are authorized to teach in the skill areas as lead instructors but may be assisted by others (Assistant Instructors).
- 2. Assistant Instructors who seek status as Primary Instructors in the skill areas of subject control, emergency vehicle operation and firearms shall first teach under the tutelage of a Primary Instructor as prescribed by the MCOLES.

Subject Control: The instructor shall function as an assistant instructor under the tutelage of a current primary subject control instructor for 48 on site hours.

Emergency Vehicle Operation: The instructor shall function as an assistant instructor under the tutelage of a current primary emergency vehicle operation instructor for 22 on site hours during one training session.

Firearms: The instructor shall function as an assistant instructor under the tutelage of a current primary firearms instructor for a total of 88 hours (orientation 8 hours; policy/procedures and liabilities 24 hours; range techniques

56 hours).

11.05 Continuation of Instructor Status

- 1. An instructor shall be formally evaluated by the Training Director or his/her designate at least once every two (2) years. The instructor shall be evaluated to determine whether the instructor 1) possesses the requisite skills and knowledge in the subject; 2) uses a suitable written lesson outline; and 3) effectively delivers training in the classroom. Failure to perform satisfactorily may result in the revocation of instructor status by the MCOLES.
- 2. An instructor shall teach in his/her assigned curriculum area at least once every two (2) years in order to maintain the MCOLES approved status. It is the instructor's responsibility to remain current in his/her respective area of instruction.

Chapter IV - Unit 12

The Michigan Commission on Law Enforcement Standards Program Monitoring

POLICY

The MCOLES will conduct periodic inspections of the preservice basic training program at approved locations to ensure student and preservice institution compliance with Commission policies and procedures.

PURPOSE

The purpose of this policy is to fulfill the MCOLES statutory responsibility for program oversight. On-site monitoring and inspecting of approved programs provides an independent verification that the students and the institution are in compliance with all applicable requirements, procedures and laws relative to law enforcement training and certification.

PROCEDURE

12.01 Commission Program Monitoring

- 1. MCOLES Inspectors shall conduct on-site inspections and program audits of approved programs.
- 2. MCOLES staff will contact the Training Director before training staff, instructors, or trainees are contacted.
- 3. MCOLES staff will advise the Training Director of the results of an inspection in writing.

Chapter IV - Unit 13

Forms and Procedures

POLICY

An approved preservice institution shall complete and submit all required MCOLES forms.

PURPOSE

This policy establishes the procedure for collecting appropriate documentation that will serve as the official State record verifying that the requirements of Public Act 203, of 1965, as amended, have been fulfilled.

PROCEDURE

A description of the required forms and their purpose follows:

13.01 Curriculum Verification Record (TC-6)

This document is the official commitment by the institution to provide mandatory basic training as required by the MCOLES. The document shall be submitted each year at the time of the renewal request.

13.02 Primary Instructors in the Mandatory Curriculum (TC-7)

This document shall be submitted at the time of the annual renewal request. All instructors shall be qualified (refer to Chapter IV, Unit 11) and competent to instruct in the approved preservice basic training program.

13.03 Enhanced Curriculum Verification Record (TC-8)

Any courses required in excess of the mandatory curriculum hours shall be documented on this form. The Training and Education Advisory Committee shall approve additional courses. This document shall be submitted each year at the time of the renewal request, if applicable.

13.04 Application for Enrollment (TC-1)

An original application for enrollment/certification (TC-1) shall be completed by a law enforcement agency or the trainee and forwarded to the appropriate Training Director before a recruit will be allowed to attend an MCOLES approved training session. The TC-1 and the required attachments shall be received by the Training Director prior to the MCOLES orientation and be properly filled out and signed where appropriate. Incomplete or late applications will not be accepted.

This original application shall be completed and presented to the MCOLES at the time of the MCOLES orientation.

13.05 Physician's Statement of Candidate's Medical Condition (TC-1A)

This form is required and shall be attached to the TC-1. The TC-1A shall be completed in full and signed in the appropriate place by the examining licensed physician.

13.06 Preliminary Preservice Tracking Record (TC-21)

This document controls entry of the student into the preservice "tracking" system and shall be available at the time of the MCOLES orientation (at least 2 weeks prior to the end of the first semester/quarter).

13.07 Final Preservice Tracking Record (TC-22)

This document is to be submitted whenever a student completes the preservice training requirements. Additionally, the Training Director shall submit a letter indicating an audit has been done confirming degree requirements have been met or an official college transcript indicating the degree has been completed.

13.08 Preservice Student Record (TC-23)

All entries on this document shall be typed except the signature. This form is the official document for completion of law enforcement training requirements and shall be submitted along with the TC-22.

13.09 Verification of Certification Exam Eligibility (TC-36)

This form will be issued to the student by the Training Director and shall be presented by the student a the MCOLES certification examination site at the time of the exam in order to be admitted.

Chapter IV – Unit 14

Recognition of Preservice Basic Police Training Programs

POLICY

There shall be an award entitled "The Michigan Commission on Law Enforcement Standards Outstanding Performance Award." The award may be presented to an outstanding trainee in each Commission approved basic training session. The Commission will be responsible for purchasing and presenting the award.

PURPOSE

The award provides recognition to basic training participants who exhibit high standards of performance measured by their mental, physical and moral fitness while in the training environment.

PROCEDURES

14.01 Description of Outstanding Performance Award and Criteria to be Measured

An award may be presented to the trainee who has demonstrated outstanding performance in the preservice training program. Outstanding performance shall be measured by assessing the trainee's level of performance in the categories of knowledge, skill, leadership, interpersonal communication and appearance. Each of these 5 categories are given equal weight. The award will be in the form of a plaque and entitled "Outstanding Performance Award".

14.02 Academy Session and Candidate Qualifications

An approved preservice program may nominate a graduate who has met the criteria for "The Michigan Commission on Law Enforcement Standards Outstanding Performance Award" as follows:

1. A preservice program having 10 or more graduates may present an Outstanding Performance Award to one of its graduates. Graduating classes of less than 10 graduates may be combined with the next graduating class.

- a. The award should be made at a time when the presentation affords the best opportunity for student and public recognition such as a formal graduation ceremony, or an occasion when other awards are presented (i.e. a dinner).
- b. The Training Director shall first identify students who performed in the top 20% of the class in each of the two categories of knowledge and skill. These students then will be rated according to 14.03.

14.03 Rating the Candidates

Candidates for the award shall be in the top 20% of the class in <u>each</u> category of knowledge, skills, interpersonal communication, leadership, and appearance. The candidates with the highest total number of points will receive the award.

- 1. Knowledge (Rated by Training Director)
 - a. Points are to be awarded according to their in-house test score average.
 - b. An overall grade percentage of 100% to 90% = 10 points, 89% to 85% = 8 points and 84% to 80% = 6 points.
- 2. Skills (Rated by Training Director)
 - a. All skills that are taught where the student is required to physically perform are to be considered. (At a minimum –emergency vehicle operation, firearms, subject control, and first aid.)
 - b. Points are to be awarded according to their in-house test scores: written and performance. Each skill should be rated individually.
 - c. An overall grade percentage of 100% to 90% = 10 points, 89% to 85% = 8 Points and 84% to 80% = 6 points. The top 20% will be determined by the total number of points for all skills.
- 3. Interpersonal Communication
 - a. Rated by students, Training Director, and assistant coordinator who each have a singular vote.
 - b. How the trainee relates to fellow students and instructors. Do they speak in a

clear voice, express their views in a clear, concise, and non-offensive manner? Are they a willing listener?

c. Scoring: 10 points, 8 points, 6 points and 0 points.

4. Leadership

- a. Rated by students, Training Director, and assistant coordinator who each have a singular vote.
- b. Willing to follow a person because of the example they provide in a courteous, mature, positive attitude towards meeting the school's requirements and the Law Enforcement Code of Ethics (not acting officiously, talking about fellow students, etc.) Do not consider any factors addressed in other categories (appearance, communications, etc.)
- c. Scoring: 10 points, 8 points, 6 points and 0 points.
- 5. Appearance (Rated by Students and Training Director)
 - a. Rated by students, Training Director, and assistant coordinator who each have a singular vote.
 - b. Hair, clothes, bearing, and carriage.
 - c. Scoring: 10 points, 8 points, 6 points and 0 points.

Scoring

Rank scoring is accomplished by establishing the sum total for all categories for each individual. Each individual must achieve a score reflective of at least 80% of the total possible points (class size x 10 points) in each category to continue in the process or otherwise he/she is eliminated. The highest-ranking score will then receive the award.

Overall Score Tie Breaking

If there is a tie score, the tie will be broken by re-scoring the actual academic and skill test score averages and adding them to the existing total score.

14.04 Presentation Ceremony

The master of ceremonies for the graduation exercise shall schedule the MCOLES award to immediately follow the presentation of all other awards. The presenter shall be introduced by name along with the fact that a MCOLES award will be presented.

The presenter of the award will be either a Commission member or a member of the MCOLES staff. The presentation shall be made in a uniform manner throughout the state so a traditional ceremony is established. The audience is to be informed of the name of the award, what is measured, and how the winner was determined.

Chapter IV - Unit 15

Accommodation Policy for Training and Testing

POLICY

It is the policy of the Michigan Commission on Law Enforcement Standards to provide qualified individuals an opportunity to participate in and meet Commission requirements for the mandatory basic training program and/or the MCOLES basic training certification examination. A qualified individual with a disability, as defined by the American With Disabilities Act, may request an accommodation. The Commission will determine whether a person is eligible for an accommodation on a case-by-case basis. Requests for an accommodation in meeting basic training and/or testing requirements shall be reviewed by Commission staff and the basic training academy director to determine whether an accommodation will reasonably allow the individual the opportunity to successfully complete the mandated course of study and/or the certification examination process.

PURPOSE

In order to conform with the requirements of the Americans With Disabilities Act and the Michigan Handicappers Civil Rights Act, the MCOLES has developed a policy and procedure to review and approve requests for accommodation by individuals with disabilities. This policy shall apply to individuals who seek an accommodation in training or testing for a MCOLES approved basic training program.

15.01 Responsibility of Law Enforcement Candidate to Request Accommodation

- 1. Completion of Commission form TC-3, "Request for Accommodation for Training or Testing"
 - a. Individuals with a disability who wish to request an accommodation for the basic training program and/or certification examination must complete the MCOLES form titled, "Request for Accommodation for Training or Testing" (TC-3) and submit the form to the training academy at least 45 days in advance of the beginning of the basic session or the scheduled date of the basic training certification exam. Only a qualified individual with a disability can request an accommodation. (Note: The 45-day time requirement can be waived by the MCOLES depending on individual circumstances).

b. The Training Director will review the request for accommodation, enter any comments in writing and sign where indicated on the TC-3, and then forward the form to the Employment Standards Section.

15.02 Processing of Accommodation Request by the MCOLES

- 1. When the Request for Accommodation for Training and Testing form (TC-3) is received by the MCOLES, the following procedures will be initiated:
 - a. A case file for the requesting individual will be opened. All verbal communication with the individual, parent, doctor, Training Director, counselor, etc., will be documented in writing and filed. All relevant written documents will also be filed.
 - b. The MCOLES will acknowledge receipt of the request for accommodation in writing and obtain a signed release from the requesting individual. The purpose of the release is to enable the MCOLES to acquire records from appropriate sources in order to document the disability.
 - c. The MCOLES will request disability records and documentation from the sources identified by the requesting individual. The disability documentation may be reviewed by an independent specialist chosen by the MCOLES.
 - d. The results of the specialist's review will be used by the MCOLES to help determine if the requested accommodation can be made without posing and undue risk to the individual or other trainees, and if the accommodation will reasonably allow the individual the opportunity to successfully complete the basic training and/or certification examination requirements, without compromising professional training/testing standards.
 - e. The MCOLES will collaborate with the Training Director before a decision on the requested accommodation is made. The final decision shall be made by the MCOLES.

15.03 Notification of Candidate and Training Director

- 1. Notification in writing and acknowledgement required.
 - a. The person seeking the accommodation will be notified in writing of the MCOLES decision. The details of the accommodation will be specified in the written notification. A copy of the notification will be sent to the Training Director.

b. The candidate must contact the MCOLES, in writing, of their intent to accept the accommodation as offered. A copy of the acceptance letter will be sent to the Training Director by the MCOLES.

15.04 Waiver of Accommodation Request or Approval

1. Requirements

- a. After a request for an accommodation has been made to the MCOLES, an individual who wishes to withdraw his/her request will be required to sign a waiver of their initial accommodation request.
- b. If an individual decides not to utilize a requested accommodation once it has been approved by the MCOLES, the candidate must so notify the MCOLES in writing. Upon receipt of the written notification, the MCOLES will require the individual to sign a waiver. The MCOLES will notify the Training Director of the individual's refusal to utilize the approved accommodations.

15.05 Appeal of Denial or Approval of an Accommodation

- 1. A denial of a requested accommodation may be appealed by the individual to the Executive Director of the MCOLES.
 - a. The appeal must be made in writing within two weeks of the denial of the requested accommodation
 - b. The appeal must delineate the reasons why the accommodation denial should be overturned.
 - c. The MCOLES will notify the Training Director when a formal appeal request has been received.
- 2. A Training Director may appeal the decision of the MCOLES to grant an accommodation. The appeal shall be made to the Executive Director of the MCOLES.
 - a. The appeal must be made in writing within one week of the notification to the Training Director that the accommodation has been approved.
 - b. The appeal must specify the rationale for why the approved accommodation should be deleted or modified

Chapter IV - Unit 16

Training Vehicle Use Policy

POLICY

Each MCOLES approved basic training academy shall have a written policy that establishes the procedures for the safe operation and legal use of training vehicles during emergency vehicle operations training or other relevant training that requires the use of a vehicle. The training director shall ensure that all staff and students follow prescribed procedures during the basic training session. The policy shall establish protocols for the use of marked and unmarked police academy training vehicles, the tracking of individuals responsible for their safe and legal operation, the limits of enforcement authority, and the procedures for discipline and complaints. It shall be the responsibility of MCOLES to review and approve each site's vehicle use policy as part of the annual operating proposal approval process. It shall be the responsibility of the training delivery site to enforce all aspects of its approved policy.

PURPOSE

This policy directs the academy administration to establish protocols for the safe and legal operation and use of a training vehicle during the basic training session. It also sets forth the minimum parameters for the procedures to be contained in the academy vehicle use policy. The intent is to create a safe environment for practical skills training and testing. Reality-based training is encouraged by MCOLES, particularly in high liability areas, however, recruits and students must always be allowed to make training errors in a safe environment. Therefore, the policy must contain written procedures that, at a minimum, will legally and safely address all of the below listed concepts:

REQUIRED PROCEDURES TO BE ADDRESSED

Academies must develop specific procedures that address the requirements contained in sections 16.01 through 16.05 of this policy.

16.01 Official Use.

- 1. The policy shall specify that training vehicles shall be used for official purposes only and that recruits shall operate the vehicles for authorized activities only. Personal use of training vehicles by recruits shall be prohibited.
- 2. The policy shall specify that training vehicles shall not be operated on public roads unless licensed and insured for such use. The policy shall govern when and where training vehicles are to be driven, particularly when not being used during training exercises.
- 3. The policy shall describe the enforcement authority of the recruits and prohibit the recruits from taking independent enforcement action in any situation.
- 4. The policy shall govern the method of identifying vehicles as "training vehicles." If the training provider is a law enforcement agency and the training vehicle is fully marked and fully equipped, the training provider may be exempt from this requirement.

16.02 Safe Operation.

- 1. The policy shall prohibit the operation of a motor vehicle if, under any circumstances, the recruit's ability to safely operate the motor vehicle is impaired. In establishing such policy, academies shall consider factors such as:
 - a. wearing prescribed corrective lenses;
 - b. being free from the influence of any drug known to impair the ability to operate a vehicle;
 - c. having no measurable blood alcohol level;
 - d. being well rested and alert;
 - e. having no medical condition that may affect the ability to operate a vehicle; and
 - f. having no injury that may impair the ability to operate a motor vehicle.
- 2. The policy shall require that recruits shall operate training vehicles in a safe, responsible, and professional manner and that training staff and recruits shall comply with all applicable traffic laws.

16.03 Documentation Requirements.

1. The policy shall establish a procedure for administratively tracking training vehicles. Documentation shall specify the instructor assigned to a vehicle, the recruits assigned to the vehicle, date, daily beginning and ending mileage, the reason the vehicle was being used, and any comments regarding unusual circumstances or vehicle defects.

16.04 Complaint Investigations.

- 1. The policy shall ensure that complaints involving the operation of a training vehicle shall be immediately reported to the training director, who will then initiate an investigation, and who will notify the MCOLES if there is a potential violation of the policy.
- 2. The policy shall require the training director to notify MCOLES staff of any injuries or accidents or when the complaint investigation results in any disciplinary action that may affect the recruit's ability to meet employment and selection standards.

16.05 Discipline

- 1. The policy shall specify that violations of policies, procedures, rules, regulations, or laws by the recruit, training provider, or training staff, may result in:
 - a. civil penalties;
 - b. criminal penalties;
 - c. probation, suspension or revocation of approval to conduct basic police training;
 - d. written reprimands;
 - e. other discipline as necessary, up to and including dismissal from the academy.